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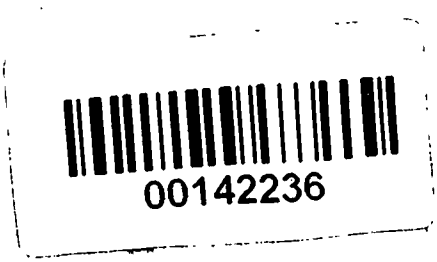
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ARREST OF THE FIVE MEMBERS BY CHARLES THE FIRST.

A CHAPTER OF ENGLISH HISTORY REWRITTEN.

§ I. Introductory.

One of the moſt fatal days in the life of Charles the Firſt is generally, and juſtly, accounted to have been that wherein he made the attempt to ſeize with his own hand upon five members of the Houſe of Commons ſitting in their places in Parliament, againſt whom, on the day preceding, he had exhibited in the Upper Houſe, through his Attorney-General, articles of impeachment for high treaſon. This incident, however, with its attendant circumſtances, having become, in common with the events immediately preceding it, the ſubject of Lord Clarendon's moſt elaborate, ingenious, and ſtudied miſrepreſentation, the true hiſtory of it remains to be elicited from truſtworthy, and as yet unpubliſhed, contemporary records.

An attempt fatal to its author:

Party miſrepreſentations of it:

Not an iſolated act.

It was certainly not the iſolated act of raſh imprudence and ſelf-willed indiſcretion which the champion of the party whom its failure moſt damaged very naturally deſired that it ſhould afterwards be conſidered. It was attended by too many incidents beſpeaking a deliberate and ſettled purpoſe, and came in the ſequence of events with which it too exactly correſponded, to permit us fairly ſo to conſider it. The author of it, conſiſtently enough, always himſelf reſented that imputation; and it is with a ſtrict dramatic propriety he is made, by the writer of the *Eikon Baſilike*, to aſcribe the act not to paſſion but to reaſon, to claim for it juſt motives and pregnant grounds, and to reſcue it from the reproach of being wanting in the diſcreetneſs that the touchineſs of the times required. It was moſt aſſuredly in only too perfect agreement with all that the King and the King's friends had been attempting ſince the day of Strafford's execution. The earlier period, with its cloſe ſucceſſion of agitating conflicts, has been retraced in an Eſſay deſcribing the Debates on the Grand Remonſtrance; *. but ſome few gleanings in the field remain yet to be gathered, and will find here their proper place.

Dramatic correctneſs of the Eikon Baſilike.

Authorities for this Narrative.

The authorities to be employed in the preſent narrative, all of them exiſting ſtill in

* Forſter's *Hiſtorical and Biographical Eſſays*, i. 1—175.

manuſcript, have not before been uſed in any of the hiſtories; and it may be premiſed, as to ſeveral important illuſtrations of the time and many new facts of much weight, derived from contemporary correſpondence in the State Paper Office,* that among the letters to be earlieſt quoted are ſeveral addreſſed to Admiral Sir John Pennington, then commanding the fleet in the Downs, by correſpondents evidently able and generally truſtworthy, notwithſtanding ſtrong Royaliſt leanings. Pennington† was a favorite of the King's, and within a very few weeks was to do him two memorable pieces of ſervice, by carrying acroſs channel out of the reach of Parliament not only Lord Digby, but the Queen and the Engliſh crown jewels,

MS. Illuſtrations.

Admiral Pennington.

* Let me take the opportunity of ſaying, upon the threſhold of this work, that it could not have been written without the facilities of acceſs to the State Paper Office afforded by the kindneſs of Sir John Romilly, to whom I offer my warmeſt acknowledgments. Of the larger debt which all ſtudents of our hiſtory owe to the preſent Maſter of the Rolls, it would hardly be becoming to ſpeak in this place; but it is due entirely to him that the noble ſtores of our State collections are now becoming acceſſible to all readers, and that in the double ſeries of "*Calendars*," and of "*Chronicles and Memorials*," publiſhed by the Meſſrs. Longman under his direction, we have the promiſe of an ultimate contribution to our National Hiſtory which Engliſhmen will be able to refer to with juſt pride, as unſurpaſſed for its variety and richneſs of materiel, and for the thoughtful conſideration which, by the moderate price the volumes are iſſued at, has placed them within general reach.

Services to Engliſh Hiſtory rendered by Sir John Romilly.

† Clarendon's *Hiſt.* ii. 277, 334-6; and iii. 98, 107. The hiſtorian ſays of Pennington that he was a very honeſt gentleman, and of unſhaken truthfulneſs and integrity to the King; adding that he had a greater intereſt in the common ſeamen than any other perſon, having commanded them ſo many years.

to be employed abroad in raiſing materiel and means for the waging of civil war at home.

Pennington appointed to ſucceed Lord Northumberland.

A few months later, upon diſmiſſal of Lord Northumberland, the King had secretly made Pennington Lord Admiral, but the appointment was ſuperſeded by Parliament. His preſent poſition in command of the home fleet rendered it extremely eſſential that he ſhould be kept well-informed of events; and one of his captains, Robert Slingſby, brother of Strafford's friend and ſecretary, ſeems to have come to London mainly with this deſign.

Captain Slingſby, brother of Strafford's ſecretary:

Writing on the day of his own and of the King's arrival there (the 25th of November), "from my lodging at a barber's houſe over "againſt the Roſe Tavern, in Ruſſell Street "in Covent Garden," Slingſby thus tells the Admiral the great parliamentary news:*

relates the Parliamentary news, 25th Nov. 1641.

"The buſineſs now in agitation is a Remon-"ſtrance to be publiſhed, wherein the ſtate "of this kingdom, before the Parliament, is "ſett down, and the Reformations ſince: "all matters of ſtate and government, ſince "the King's coming to the crowne, being "ript up: as ſome ſay, very much reflecting "upon the King. On Monday laſt it was very "hottly debated (in) the Houſe, with greate "oppoſition: ſome making proteſtations againſt

* MS. State Paper Office. Slingſby to Pennington, 25th Nov. 1641. I follow the ordinary mode of ſpelling the name, though the writer always ſubſcribes himſelf "Slyngſbie."

" it: it held almoſt all the night. At laſt being " voted, it was carried for the Remonſtrance, " by eleven voices: yett they have ſince fallen " upon itt againe, and have mittigated ſome " thinges which occaſioned greateſt oppoſition " to it; yett doth it not paſſe freely them " who befor oppugned it." A night-long debate.

It was hardly ſurpriſing that it ſhould not, conſidering how much was at ſtake. Every inch of ground was conteſted. Alſo writing on the ſame 25th of November, Mr. Sidney Bere, who (having charge of the foreign diſpatches) had been in attendance on the King in Scotland, and who obtained employment as Under Secretary upon the appointment of Nicholas (on Monday the 29th November) as principal Secretary of State, makes ſimilar alluſion to the grand intelligence of the day, and in a tone which ſhows his nearer acquaintance not alone with public affairs, but with thoſe to whom their guidance was entruſted: " For " the buſineſs of the Houſes of Parl^t. they " have been in greate debates about a Remon- " ſtrance, wch the Houſe of Commons framed, " ſhowing the grievances and abuſes of many " yeares paſt: the conteſtation now is how to " publiſh it, whether in print to the publick " view, or by petition to his Majeſty. It was " ſoe equally carried in a diviſion of opinions, " that there were but 11 voices different: " this day is a great day about it, but what ye Sidney Bere, Under Secretary of State: deſcribes oppoſition to printing the Remonſtrance.

Fears of the wife.

" event will be I ſhall not be able to write you " by this ordinary. It ſeems there are great " diviſions betweene the two Houſes, and even " in the Commons Houſe, wch if not ſuddenly " reconciled may cauſe very great diſtractions " amongſt us. It's the fear of many wiſe and " well-wiſhing men, who apprehend great " diſtempers, wch I pray God to divert."*

Narrow majorities in Houſe of Commons.

So deſperate was the ſtruggle between forces not ſo unequally matched as hiſtorians have ſuppoſed; and the reſult thus far was, that the party which attempted a reaction in favor of the King had been defeated by this narrow majority. But other conſiderations ſtill hung in the balance. It remained to be ſeen, on the one hand to what uſes the victory would be turned, on the other what yet might be done to mitigate the conſequences of defeat. While the ſtruggle was at its height, Charles was on his way back from Scotland; having ſent before him the moſt urgent injunctions that until his arrival at leaſt the conflict was to be prolonged. Three days before he appeared at Whitehall the Remonſtrance had been voted by its majority of eleven. Still there were queſtions to be raiſed in connection with it,

Conflict continued.

and ſtill, as we have ſeen, the conteſt was continued. Charles was hardly leſs eager that the terrible record of his paſt miſgovernment

* MS. State Paper Office. Sidney Bere to Admiral Pennington, 25th Nov. 1641.

ſhould not be preſented to him, than he had been that it ſhould not be paſſed; and, after it was preſented, it became the great object of himſelf and his friends to obſtruct its publication.

On the 16th of December, Captain Slingſby writes to Admiral Pennington: "Yeſterday "the Houſe of Commons fell upon the Remon- "ſtrance wch they had formerly preſented to "the King with a petition; but had received "no anſwer. It was hottly debated, whether "it ſhould be printed or nott: it helde them "very late in the nighte: at laſt being voted, "it was carried by many voices to be printed: "yett ſo as thoſe were about a hundred wch did "proteſt againſt it, wth a caution if it were "not contrary to the orders of the Houſe, "and deſired their names might be printed w^th "the Remonſtrance: that caution was to "avoid the penaltie of Mr. Palmer, who was "before committed for proteſting againſt it. "It was after debated, whether to proteſt "againſt anything that is voted in the Houſe, "be not contrary to the orders of the Houſe: "and it is thought by ſome that ſome of the "proteſters will be queſtioned for it."* First great parliamentary diviſions. Proteſting with a difference.

A fortnight before this date, another friend, Mr. Thomas Wiſeman, a man of conſiderable wealth and influence, had written in ſimilar Mr. Thomas Wiſeman to Admiral

* MS. State Paper Office. Slingſby to Pennington, 16th Dec. 1641.

Penning-ton, 2nd Dec. 1641.

ſtrain to the Admiral of Palmer's impriſonment. He deſcribed, in a few lines which expreſs exactly the nature and weight of the offence Palmer had given, and which Clarendon has laboured ſo ingeniouſly to conceal, the act that brought with it the "penalty" referred to by Slingſby.* "Mr. Palmer, the lawyer, "was ſent three days agoe to the Tower, becauſe "hee was the firſt man that deſired to have "his Proteſtation entered Againſt the Remon-"ſtrance in the name of All The Reſt." In the ſame letter Mr. Wiſeman, adverting to matters connected with the Remonſtrance and making a curious miſtake as to the day of the great debate, (which was Monday the 22nd, not Thurſday the 18th of November), gives us a glimpſe of the temperate hopes too ſanguinely expreſſed by the Admiral himſelf: "This "Parliament, as you obſerve, I hope may "prove more temperate; if ſoe bee all the "membrs of the Houſes were ſure mett "together: but I preſume they have already "don their worſt; the Remonſtrance being "finiſhed uppon Friday was ſennight, when "the Houſe of Comons did ſit debating of "the matter therein contayned from three of "the clock in the afternoone on Thurſday till "Friday morning at three of the clock; and "beeing putt to the queſtione whether the "Remonſtrance ſhould procede or not, there

Palmer's proteſt and puniſhment.

Abſentees from the Houſes.

* See *Hiſt. and Biog. Eſſays*, i. 117-132.

" was 159 perſons for itt and 148 againſt it. The majority of eleven.
" And this very day it brought the King to
" towne, it being preſented unto him wth a
" petition thereunto annexed yeaſterday at
" Hampton Courte: what the ſequel will bee
" of it, a little tyme and patienſe will inform
" us. But there was never more heate in both Never more heat in Parliament than now, 2nd Dec. 1641.
" the Houſes then att preſent: God ſend them
" better at unitie whereby we may enjoy fairer
" hopes of peace and tranquillitie, and the
" King to ſhyne out wth as much brightneſs
" and ſplendor as heretofore he hath done." *

A hope, alas, with ſmall chance of realization after the vote of the 15th of December by which the Remonſtrance was placed in the hands of the people. But, diſcomfited in this direction alſo, a final ſtand was nevertheleſs to be made, and a final defeat to be encountered, upon the monſtrous aſſumption of a right in the Minority to enter formal proteſt againſt the ſeries of votes it had itſelf been ſucceſſively out-voted in reſiſting. That was on the 20th December: and within a fortnight after its date, as the ſucceſsful leaders ſat in their places in the Houſe (the interval having witneſſed a deſpairing effort, hitherto unknown and unſuſpected, to win over Pym to the Court by a large and lucrative employment), the attempt was made to ſeize them. Minority ſet up againſt Majority.

* MS State Paper Office. Wiſeman to Pennington, 2nd Dec. 1641.

Cloſe of the firſt ſtruggle of Parliamentary Party in England.

Such were the ſtages of a conflict, throughout very ſteadily maintained, of which the object on one ſide was to uphold, and on the other to overthrow, the legitimate action of the Houſe of Commons. Was it poſſible that the long and hard fought battle ſhould have had a more conſiſtent cloſe? It began in a ſecret project to overawe the Majority by bringing up the army to Weſtminſter. It was continued through a ſucceſſion of organized efforts to defraud the Majority of its lawful powers by the pretence of unlawful conſtraints. And it was to be ended, ſurely with no inappropriateneſs, after a ſecret and ſucceſſleſs effort to bribe with place the moſt diſtinguiſhed of the leaders of the Majority, by an attempt openly to ſtrike them down. To what extent in this the King acted alone, or with the advice and countenance by which he had profited in every other ſtage of the ſtruggle, it will be one of the objects of this Eſſay to endeavour to develope.

§ II. The King's Return from Scotland.

Aſſertions of Clarendon.

It is repeatedly aſſerted by Lord Clarendon that Lord Digby was Charles the Firſt's only adviſer in his reſolve himſelf to effect the arreſt of the five members; but in implying that the raſh act had the diſapproval of the more legitimate adviſers of the Sovereign, he nowhere aſſerts that the articles of im-

peachment, of which it was but the too haſty and violent aſſertion, were in their opinion unjuſt. It would be hazardous to affirm of the King's attempt of the 4th of January, that it was a more flagrant violation of law and privilege than his attempt by means of his Attorney-General on the previous day; yet, remembering that Falkland became a Privy Councillor only two days before, and five days later received the ſeals of a Secretary of State, that Culpeper ſat as Chancellor of the Exchequer on the day Falkland was ſworn of the Privy Council, and that Hyde had been offered concurrently the office of Solicitor General,—keeping in mind, moreover, that the perſon chiefly inſtrumental in bringing about all theſe promotions is admitted by Clarendon to have been Lord Digby himſelf,* —it would be ſtill more difficult to believe that the act of the Attorney-General, and the pro-

The two attempts of the 3rd and 4th January.

New State appointments:

adviſed by Lord Digby.

* Clarendon expreſſly informs us (*Hiſt.* ii. 99, 100), "The Lord Digby was much truſted by the King, and he "was of great familiarity and friendſhip with the other three, "(Hyde, Culpeper, and Falkland), at leaſt with two of them: "for he was not a man of that exactneſs as to be in the "entire confidence of the Lord Falkland, who looked upon "his infirmities with more ſeverity than the other two did "... He was equal to a very good part in the greateſt "affair, but the unfitteſt man alive to conduct it, having an "ambition and vanity ſuperior to all his other parts, and a "confidence in himſelf, which ſometimes intoxicated, and "tranſported, and expoſed him ... He had been inſtru-"mental in promoting the three perſons above mentioned to "the King's favour; and had himſelf, in truth, ſo great an "eſteem of them, that he did very frequently, upon con-"ference together, depart from his own inclinations and "opinions, and concurred in theirs."

Lord Digby's friendſhips.

A queſtion for enquiry.

ceeding with which the King followed it up, with whatever feelings regarded after the event by theſe men, could have been taken in the firſt inſtance abſolutely without their knowledge, or even their ſuſpicion. There is ground for believing otherwiſe; and even if nothing more than a caſe of ſtrong preſumption be proved, it ought in the particular circumſtances to tell heavily againſt them. That they were more than ſuſpected at the time, Clarendon admits; and he adds that though ſuch men as Hampden and Pym had a better opinion of his diſcretion than to believe he had himſelf any ſhare in the advice of thoſe proceedings, yet they were very willing that others ſhould believe it.* Perhaps the real difficulty was, as the facts may tend to ſhow, not to believe it.

Suſpicions againſt Falkland, Culpeper and Hyde.

Charges againſt Pym and Hampden.

The King had returned from Scotland, there cannot be a queſtion, bent upon charging Pym and Hampden with treaſonable correſpondence during the Scotch Rebellion. Unfortunately for Charles the Firſt, it was almoſt always matter of doubt with him whether he ſhould cruſh or cajole an antagoniſt; and ſuch was his vice of temperament that whichever reſolve he might finally take, was ſure to be taken too late. He tried the one too late to deſtroy the league for the Covenant in Scotland, he tried the other too late to ſave

The King's way of dealing with opponents.

* *Life*, i. 103.

the life of Strafford in England.* And now, even while bent upon faſtening a charge of treaſon againſt the popular leaders, baſed upon the ſame tranſactions as thoſe which ſuggeſted a ſimilar charge at the eve of the Long Parliament, I ſhall be able to ſhow that even now there again occurred to him, and again too late, that it might be poſſible to win by ſtratagem † what he could not but ſecretly diſtruſt his power to win by force. Of courſe with the uſual reſult. When a weak irreſolution

Cruſhing or conciliating, always too late.

* Hear what is ſaid by Clarendon: "If that ſtratagem "(though none of the beſt) of winning men by places had "been practiſed as ſoon as the reſolution was taken at York "to call a parliament (in which, it was apparent, dangerous "attempts would be made, and that the court could not be "able to reſiſt those attempts), and if Mr. Pym, Mr. "Hampden, and Mr. Hollis, had been then preferred with "Mr. Saint-John, before they were deſperately embarked in "their deſperate deſigns, and had innocence enough about "them to truſt the King, and be truſted by him, having yet "contracted no perſonal animoſities againſt him; it is very "poſſible that they might either have been made inſtruments "to have done good ſervice, or at leaſt been reſtrained from "endeavouring to ſubvert the royal building, for ſupporting "whereof they were placed as principal pillars." *Hiſt.* ii. 60. In another paſſage of his hiſtory (iv. 438-9), he tells us: "The King at one time intended to make Mr. Pym "Chancellor of the Exchequer, for which he received his "Majeſty's promiſe, and made a return of a ſuitable profeſſion "of his ſervice and devotion: and thereupon, the other "being no ſecret, ſomewhat declined from that ſharpneſs in "the Houſe which was more popular than any man's." But again elſewhere he admits, ſtill speaking of the propoſal to give office to Pym and Hampden: "It is great "pity that it was not fully executed, that the King might "have had ſome able men to have adviſed or aſſiſted him." i. 371.

Stratagem of winning men by places.

Offers to Pym.

Their non-acceptance regretted by Hyde.

† That, as has juſt been ſeen, is Clarendon's expreſſion applied to the King's mode of procedure (ii. 60)—"the "ſtratagem of winning men by places." He had himſelf ſufficient experience of it.

prevents a man from doing at the right time what is right, obſtinacy (which is but another form of the ſame weakneſs and equally inacceſſible to reaſon) will always confirm and make him obdurate in whatever he may have ultimately done wrong.

Treaſonable correſpondence of Engliſh members with Scotch rebels.

Ominous threatenings of that purpoſe of the King to revive the charge of treaſonable correſpondence with the Scotch againſt Hampden and Pym, had preceded his return from Scotland; and that it was known to thoſe admitted to his confidence, no well-informed ſtudent of this period of hiſtory will be diſpoſed to doubt. When Clarendon, therefore, ſpeaking for himſelf and his friends as having with the greateſt courage and alacrity oppoſed what he terms, "all the ſeditious practices" of the leaders of the Commons, proceeds to admit that they were far from thinking that the five members were much wronged* by the accuſation of treaſon; nay, that ſo viſible in the Houſe had been their extreme diſhoneſt arts,† that nothing could have been laid to their charge incredible, only they thought it an unſeaſonable time to call them to account for it; and that, in regard to the choice of perſons, it was indiſcreet to have included Lord Kimbolton with the members of the Lower Houſe,

Clarendon's opinion of the five accuſed.

* *Hiſt.* ii. 160.

† This word is incorrectly printed "acts" by Clarendon's editors.

—it would ſeem tolerably certain that he carries his affectation of ignorance ſomewhat too far.* Kimbolton was included notoriouſly becauſe of his conduct in the previous year as one of the Commiſſioners "to arrange all cauſes of "diſpute with Scotland," and becauſe of the impoſſibility of ſtating the alleged caſe againſt Hampden or Pym without involving Kimbolton alſo. Kimbolton a Scotch Commiſſioner:

There are ſeveral paſſages in Charles's ſecret correſpondence with Secretary Nicholas, during his abſence in Scotland, which ſhow with what eager curioſity the doings of Kimbolton were watched at the time. Lady Carliſle, who, though ſtill continuing her intercourſe with the Court, appears undoubtedly after Strafford's death, for reaſons hereafter to be noticed, to have given what help ſhe could to the popular narrowly watched by the Court. Lady Carliſle's intercourſe with both parties.

* "The purpoſe," ſays Clarendon (*Hiſt.* ii. 128, 129), "of "accuſing the members was only conſulted between the "King and Lord Digby; yet it was generally believed that "the King's purpoſe of going to the Houſe was communi- "cated with William Murray of the Bedchamber, with "whom the Lord Digby had great friendſhip; and that it "was betrayed by him . . . . He [Lord Digby] was the "only perſon who gave the counſel, named the perſons, and "particularly named the Lord Mandeville, againſt whom "leſs could be ſaid than againſt many others, and who was "more generally beloved," &c. &c. And again he ſays, (pp. 160, 161), when remarking that a fitter choice ſhould have been made of the perſons for arreſt—"There being "many of the Houſe of more miſchievous inclinations, and "deſigns againſt the King's perſon and the government, and "more expoſed to the public prejudice, than the Lord "Mandeville Kimbolton was: who was a civil and well- "natured man, and had rather kept ill company than drank "deep of that infection and poiſon that had wrought upon "many others." Secret conſultations. Kimbolton's ill company.

leaders, is repreſented in one of Nicholas's letters (27 September, 1641), as having taken to the Queen a paper which it was much to the King's ſervice to make public, and which ſhe had obtained from Lord Mandeville.* (Lord Mandeville, or Kimbolton, I need hardly acquaint the reader, was the eldeſt ſon of the Earl of Mancheſter, and had been called to the Upper Houſe in his father's barony of Montagu of Kimbolton.) The contents of that paper were ſuch, however, that it became matter of doubt whether that which had appeared upon the ſurface of it ſo deſirable to be known in the King's intereſt, was not in reality a matter much more eſſential to be known in the intereſt of the King's opponents; and the conduct of Lady Carliſle ſoon confirmed the latter ſuppoſition. Nicholas himſelf makes no concealment of his doubts of Kimbolton. He is careful to tell the King, "I hear there are divers meetings at Chelſea, "at the Lord Mandeville's houſe, and elſe-"where" (Pym also had lodgings in Chelſea at this time) "by Pym and others, to conſult "what is beſt to be done at their next meeting "in Parliament."† Nor perhaps is it neceſſary to add that the alleged notorious complicity of Hampden with the ſo-called Scottiſh treaſon was the ſubject of countleſs contem-

A dangerous mediator.

Doubtful ſervices.

Meetings in Pym's lodgings at Chelſea.

* *Evelyn Correſpondence*, iv. 75, ed. 1854.
† *Evelyn Cor.* iv. 76.

porary ſongs and libels, which, contemptible and little credible as they generally are, will yet be found to reflect, in ſome ſhape or other, the party beliefs and hatreds of the day. Libels on Hampden.

> Did I for this bring in the Scot
> (For 'tis no ſecret now—the Plot
> Was Say's and mine together):
> Did I for this return again,
> And ſpend a winter there in vain,
> Again to invite them hither!

It was hardly attempted to be concealed, in ſhort, from any of the King's friends, that his Majeſty had taken advantage of his preſent viſit to Scotland to ſatisfy himſelf of the ſecret underſtanding that had formerly exiſted between the leaders of the army of the Covenant and the leaders of the Engliſh Houſe of Commons; and though even Royaliſts might reaſonably doubt whether ſuch a charge could be made the baſis of impeachment againſt ſuſpected rebels in England, after a grant to the avowed rebels in Scotland of an act of oblivion ſo complete, that by the Crown's grace and favor Montroſe was now a Marquis, Argyle Scottiſh Chancellor, and the little crooked Field-Marſhal of Balgony an Engliſh Earl, yet the fact of ſuch evidence exiſting againſt the Engliſh members was freely ſpoken of, and was the ſubject of covert alluſion in the correſpondence of Nicholas and the King. Avowed rebels pardoned. Suſpected rebels to be impeached.

"Some day they *may repent their ſeverity*. "... I believe, before all be done, that they will

The King's threats againſt the popular leaders.

"*not have ſuch great cauſe of joy.*" * "You "may ſee by this that all their deſigns hit not; "and, I hope, before all be done that *they* "*ſhall miſs of more.*" † "Though I cannot "return ſo ſoon as I could wiſh, yet I am "confident that you will find *there was* "*neceſſity for it, and I hope that many will* "*miſs of their ends.*" ‡ Theſe, and other ſimilar expreſſions, ſhow how ſtrongly the conviction had taken poſſeſſion of the King's mind, that he was bringing back with him to London the means of ridding himſelf effectually of the members of the Houſe of Commons who were moſt obnoxious to him.

Treaſons committed in Parliament.

On his return, indeed, he enlarged the ſcope of the accuſation, ſo as to take in their conduct in parliament. To this the tone adopted by Hyde, Palmer, Culpeper, Falkland and their followers, in the Remonſtrance debates, may be ſaid to have urgently invited him; and he affected to believe, with them, that the minority had been ſo coerced in thoſe momentous diſcuſſions as to have endangered the continued exiſtence of parliamentary rights. But, irreſpective of all this, the reſolution to try an impeachment ſeems clearly to have been taken while he was yet in Edinburgh; and it was but the after ſuggeſtion of mingled

Coercing a minority put forth as breach of privilege.

* The King to Nicholas, 5th Oct. 1641. *Evelyn Cor.* iv. 78, 79.

† Same to ſame, 9th Oct. 1641. *Evelyn Cor.* iv. 80.

‡ Same to ſame, 12th Nov. 1641. *Evelyn Cor.* iv. 81.

fear, irreſolution, and obſtinacy, which induced him on the very eve of its trial, to attempt (as it will be ſhown ſhortly that he did attempt) to bribe over to his ſervice the principal "traitor."

Nor have ſuch indications been wanting, as the many curious details produced from the MS. Journal of D'Ewes during the progreſs of the Debates on the Remonſtrance will have ſupplied, of a kind of conſciouſneſs on the part even of the members chiefly in danger, that ſome blow to be ſtruck in ſecret might be preparing againſt them. We may there obſerve with what eager and prompt deciſion, when Mr. Waller threw out his ingenious parallel between Pym and Strafford, Pym met the challenge of his loyalty, and forced the Houſe to a ſpecific declaration upon it. The King had not been five days in London, after his arrival from Scotland, when the ſame leader of the Oppoſition had occaſion to aſk from his place, whether it did not become the repreſentatives of the people to take ſerious note of the many ſigns around them of a conſpiracy by ſome members of the Commons Houſe to accuſe other members of the ſame of treaſon? And when, on the 20th December, the queſtion was independently diſcuſſed which had cauſed ſuch agitation in the Debates of the Remonſtrance, whether a minority in the Commons might not have the ſame liberty as in the

Signs of danger abroad.

30th Nov. 1641. Alleged conſpiracy to get up charges of treaſon.

Argument for giving weight to a minority.

Lords of proteſting againſt the deciſions of the majority, Mr. Holborne employed the ſignificant argument that the abſence of ſuch a right, in the event of the majority having paſſed any meaſure carrying with it grave conſequences, would involve as deeply in thoſe conſequences the reſiſting members of the minority, who might "loſe their heads in the "crowd when there was nothing to ſhow who "was innocent."* A vague feeling of individual inſecurity, a ſhadowy ſenſe of ſome poſſible impending danger, was now certainly prevalent among members of the Houſes in a manner not before known; and at the very hour when that remark was made by Holborne, D'Ewes, who had left to attend the King at Whitehall with an addreſs, was with ſome alarm making a note for his Journal of the "confident and ſevere look" with which Charles, not deigning to receive the obeiſances of honorable members, paſſed out through the midſt of them.† It is a pity that confidence and ſeverity ſhould have been moſt the characteriſtics of this prince, at the very times when it moſt behoved him to diſtruſt himſelf and conciliate others.

Alarms generally prevalent.

Confidence of the King.

* See Sir Ralph Verney's *Notes of the Proceedings of the Long Parliament*, 135, 136; and the admirable note thereon of the editor, Mr. Bruce.

† Harleian MSS. 162 f, 265 a. See also my *Hiſt. & Biog. Eſſays*, i. 165.

§ III. False Reliances.

The end to which matters were haſtening had now become manifeſt enough. Confident in his own ſecret perſuaſion that the means of vengeance were in his hand, and miſled by the accident of a Royaliſt Lord Mayor into believing alſo, in the teeth of every other indication to the contrary, that a ſtrong Royaliſt party exiſted in the City, the King's public conduct ſince his return, under the further exaſperation of the paſſing, preſenting, and printing of the Remonſtrance, and of the tone adopted by its authors in debate, had been a ſeries of acts that could have but one iſſue. Before retracing them, let me ſhow on what precarious foundations had been built the tone of confidence and defiance ſo ſuddenly and unadviſedly aſſumed. The Royaliſt party in the City.

The City entertainment provided by the enthuſiaſtic Firſt Magiſtrate had been arranged to take place on the day of Charles's arrival in his capital, and for the moment it fairly turned the heads of the King's friends as well as his own. Captain Slingſby informs his admiral that it was a magnificent reception, and that ſince his coming to town he had been greatly pleaſed to obſerve a very great alteration of the affections of the City to what they had Banquet at Guildhall:

King's reception thereat:

been when he went away.* Mr. Sidney Bere writes more cautiouſly, but remarks that all looked very "ſtately and well."† Mr. Thomas Wiſeman proteſts that it was a reception and glorification of ſo much worth, as to be far beyond the precedent of any made to former Kings that hiſtory makes mention of; and that it had well ſuited with the goodneſs, ſweetneſs, and meritorious virtue of ſo gracious a king as theirs was; adding, that his Majeſty had "knighted in the field" the Lord Mayor and Recorder, and, to add more grace to ſo loyal a Chief Magiſtrate, had been pleaſed, the day after the banquet, to make him a Baronet.‡

Lord Mayor Gourney made a Baronet.

But perhaps the moſt ſtriking indication of all that now tended for the time completely to deceive and miſlead the credulous King, was a letter dated the day after Mr. Wiſeman's admiring effuſion, which the new Secretary of State, to whom it was addreſſed, muſt with ſome exultation have ſubmitted to his maſter. It was from Lenthal, the Speaker of the Houſe of Commons. This weak and common-place man, ſo ſoon to be for ever aſſociated

Welcome news for the King.

* MS. State Paper Office. Capt. R. Slingſby to Admiral Sir John Pennington, 25 Nov. 1641.

† MS. State Paper Office. Sidney Bere to Admiral Pennington, 25 Nov. 1641.

‡ MS. State Paper Office. Wiſeman to Pennington, 2d Dec. 1641. Court ſcribes made the moſt of it of courſe; and under the title of *Ovatio Carolina*, in *Somers's Tracts*, iv. 137, will be found a ludicrouſly pompous account of the affair.

in history with an apparently high-spirited assertion, in his own person, of the privilege and independence of the House of Commons, was now only eager to be quit of his employment, and proffer servile suit to the King. Clarendon truly characterises him as a man of a very narrow, timorous nature, and it seems probable that the fierce debates on the Remonstrance had thoroughly alarmed him.* With his opportunities of observation, he could hardly fail to have satisfied himself that a conflict of a yet more serious kind now impended between the King and the House, and this letter is decisive of his belief that the victory would be to the King. Nor was it possible that Charles himself should have drawn any other construction from it. In continuing to remain where he is, in the chair of the House of Commons, Lenthal sees only utter failure to his life, the ruin of his estate, and poverty for his children. He prays to be relieved from his too onerous dignity, and to become once more the meanest subject of a sovereign whom he professes to regard with abject veneration.

Speaker Lenthal alarmed:

Wishes to be relieved from the Speaker-ship:

and to become again the meanest subject of his sovereign.

* For illustrations of his character, and his sufferings at the hands of honorable and not respectful members, see my *Hist. & Biog. Essays*, i. 82-84. Another opportunity of adverting to the subject will occur in this narrative, but meanwhile I may add what is said, correctly enough, by Clarendon (*Hist.* i. 297). "In a word he was in all respects very unequal to the work: and not knowing how to preserve his own dignity, or to restrain the license and exorbitance of others, his weakness contributed as much to the growing mischiefs as the malice of the principal contrivers." Clarendon as to Lenthal.

Speaker Lenthal to Secretary Nicholas, 3rd Dec. 1641.

"Right Honorable and Moſt Noble S^r^," runs this remarkable letter, written on the fourth day after the appointment of Nicholas as Secretary of State,* "The aſſurance of "your noble favours imboldnes me to commit "to your care the greateſt concernment y^t^ ever "it befell me, the deſyer beinge enforced by "an unavoidable neceſſity. I have now in "this imployment ſpent almoſt 14 months, "wch hath ſoe exhauſted the labor of 25 yeares, Invokes the King's ſacred mercy. "that I am inforced to flye to y^e^ ſanctuary of "his ſacred mercy. Could I ſuppoſe that my "humble ſute (grounded on ye full expreſſion "of duty and obedience) ſhould have other "interpretation, or ſeeme unfitt in the deepe "judgm^t^ of his Sacred Ma^tye^, I ſhould then "deſyer my thoughtes may periſh in their firſt "conception, ſoe willinge am I to offer myſelfe "and fortune a ſacrifice for his Royall Service: Craves Mr. Secretary's help in loweſt poſture of obedience. "but in that I hope it cannot, I moſt humbly "deſyer your honor on my behalfe (in y^e^ "loweſt poſture of obedience), to crave of his "Sacred Ma^tye^ his Royall Leave that I may uſe "my beſt endeavour to the Houſe of Comons "to be quitt of this imployment and to retyer "backe to my former privat Life, that whilſt I "have ſomme ability of body left, I may en- "deayour that w^thout^ wch I cannot but expect

* MS. State Paper Office. It is dated 3 December, 1641; and is addreſſed, "The Rt. Hon. Sir Edward Nicholas, Knt., "one of his Ma^tyes^ Secretarys of State, Humbly preſent "thes."

" a ruine, and put a badge of extreame poverty Expects ruin from continuing in the Chair of the Houſe.
" uppon my children. The apprhenſion of
" my ſpeedy enſuing miſery, hath begot this
" moſt humble regret, but ſtill with that dew
" regard of my obedienc and duty that noe
" earthly conſideratiõ ſhall ever increaſe the
" leaſte of thoughts that may tend to the re-
" tardment of his Royall Commands. Sr, this
" being prſented to your honourble care, aſſures
" me of ſuch a succeſsful way as ſhal be-
" comme the duty of me his meaneſt ſubject
" in all humilitie to beſeech. Thus am I im-
" boldened humbly to declare the relation and
" deſyers of your Honor's moſt obedient ſer-
" vant, WM. LENTHAL."

To the King, ſo willing to be duped, and exulting ſtill in the belief that he had at laſt won friends in the City all powerful, here might be ground hardly leſs for belief that in the Houſe of Commons his enemies were falling asunder. Charles clutched at it, and deſperately held to it, with the impulſive weakneſs of his nature. But never was ſuch a belief raiſed on ſuch baſeleſs foundations. A willing dupe.

Already, the very day before Lenthal's letter was written, a ſuſpicion that they were falſe reliances had occurred even to Captain Slingſby. " Since the King's coming," he writes, " all thinges have not happned ſo much to his " contentment as by his magnificent intertaine- " ment att his entrance was expected. . . . Captain Slingſby to Admiral Penington, 2nd Dec. 1641.

Factious Citizens.

" The factious Citizens begin to come again to " the houſes with their ſwordes by their ſides, " hundreds in companies; their pretences only " againſt Epiſcopacie."* After a few days Sidney Bere, reflecting doubtleſs the temperate miſgivings of his maſter the Secretary, writes of the fears and diſtractions increaſing daily in London, and that ſuch truly were not without cauſe, for that the exiſting contention in the Houſe, and on points of ſo high nature, could not bring about leſs than confuſion and combuſtion in the end, if God did not prevent it:† Nor from this date had a week paſſed

Fears and miſgivings of the beſt informed.

The King and the two Houſes.

Citizens and M.P.'s.

Sir Edward Dering.

* MS. State Paper Office. Slingſby proceeds to ſay of the King: " The next day after his coming he was expected " at the Parliament, but he went away to Hampton Court; he " came again on Monday laſt and was expected on Tueſday " at the Houſe, but he went back the ſame night he came. " Since that, a Petition hath been ſent to him concerning the " Remonſtrance wch had formerly bren ſo much debate: and " to deſire the nomination of the greate officers as he had " graunted to the Parliament in Scotland. This day the King " came to London againe: at noone it was queſtioned whether " he would go to the Houſe or no, but I heare ſince he is " gone." Of the factious Citizens he alſo further remarks in this letter: " One of the Houſe was ſtrictly examined by " them of wch ſide he was, in ſuch a manner that with goode " wordes he was gladd to ſlippe from them: after he was " gone ſome of them were heard to name him—ſaying it was " ſuch a one—the greateſt enemye we have. He made com- " plaints of it to the Houſe. Yeſterday a conference between " the two Houſes wherein this matter was ment^d^ and a " declaration agreed to be ſett out to prohibitt the like " aſſemblys hereafter . . . . This day the Houſe are upon " Sir Edward Dering who it is thought will be called to the " barre for ſomething he hath ſpoke in the Houſe."

† MS. State Paper Office. Sidney Bere to Admiral Pennington, 9th Dec. 1641. There is ſo pleaſant a teſtimony in this letter to the character of Nicholas, not merely to his activity and induſtry, but to that ſweetneſs of diſpoſition and moderation of temper which is borne out by all that is

before Captain Slingsby wrote with an alarm which he hardly attempts to conceal, of the display of manifestations of feeling from the City, of a far more decisive and serious kind than those which so lately had startled him. Whereas it had been alleged that last week's "sollicitation of the Parliament" had proceeded only from the ruder sort of people, now it was certain that "some of the "better sort of the same faction came in good "numbers to the House, accoutred in the best "manner they could, and in coaches, to prevent the aspersion that was layed upon them "that they were of the baser sort of people "only which were that way affected." They had come, moreover, not merely to petition for the removal out of the Upper House of the popish Lords and Bishops to whom exclusively

Slingsby's alarm.

Wealthy and discontented citizens:

Come in their coaches to the House.

publicly known of him, that the passage is worth subjoining. "By Mr. Valentine," he writes, "I acquainted you wth the "remove of Sir Hen. Vane, and that I had made my way unto "his Matie by the Murrayes, wch hath taken soe good effect "that now I am wi^th^ the Secretary Nicholas (the King "having recommended me particularly); and he appearing "most ready to accept me, mentioning with all the respect "he bears unto you the affection you have always pleased to "have for me, soe that I cannot faile of good usage, and "indeed his disposition is soe sweete that he is not capable of "other. By this recommendation from his Ma^ty^ I guesse we "shall not suddenlie have a second Secretary, since all the "Forraine dispatches as well as Ireland are delivered into "Mr. Secr^ty^ Nicholas, who noe doubt will acquit himselfe "well, being a man also very laborious and active, and in "great fav^r^ with both their Maties." Nevertheless Mr. Bere was wrong in his expectation: a second Secretary, to replace Vane, having already been selected in the person of Lord Falkland.

Character of Sir Ed. Nicholas.

they imputed the ſtoppage of thoſe Acts which had paſſed the Lower for the ſettling of religion, but alſo to complain "of ſome ill-affected "perſons in the Cittie that endeavoured to "hinder their petition, wherein my Lord "Mayor was comprehended, who the day "before had given order to all the conſtables "to raiſe their ſeverall watches and be readie "in armes, which has been very ill reſented "by the Houſe."* So ſoon was the frail reed on which the King mainly relied, bending powerleſs under him. Poor Lenthal himſelf ſeems to have had a ſafer ſecond thought, and had haſtened to crave from Mr. Secretary Nicholas, "if the other way did not take," no longer the royal influence to relieve him of Mr. Speaker's poſt, but the royal meſſage cuſtomary in thoſe times before Mr. Speaker's claim for a vote of money could be taken into conſideration.† Shall we wonder that the Under Secre-

Unpopular acts of the Lord Mayor.

Second thoughts of Speaker Lenthal.

* MS. State Paper Office. Slingſby to Pennington, "aboard the Lyon in the Downes." The letter is dated by Slingſby himſelf "16 January, 1641," but this is a manifeſt error for the "16th December, 1641."

† MS: State Paper Office. This ſecond letter is well worth ſubjoining textually. "Right Honourable, May it pleaſe "your Honor," it runs, "If that other way doe not take, if "you may finde oportunity (without prejudice to your ſelfe) "let me entreat you to incline his Ma^ty to recomend me "to ye conſideration of the Houſe, by which meanes I may "hope of ſome ſatiſfaction: but this is totally left to your "honor's conſiderati^n as oportunity offers, & y^r honor "thincke fitt in your owne judgment. Thus humbly cravinge "p^don for this great p^rſumption I can ſafely ſay noe man "lives that is more

"Your honor's moſt humble ſervant,
WM. LENTHAL."

Speaker Lenthal to Secretary Nicholas.

tary, not many days later, is found writing to his friend the Admiral commanding in the Downs, "I pray God we find not that we "have flattered ourſelves with an imaginary "ſtrength and partie in the citty and elſe- "where which will fall away if need ſhould "be." * An Under Secretary's prayer.

§ IV. Fatal Mistakes.

Charles nevertheleſs continued to act as if that imaginary ſtrength were ſolid and eternal. On any other aſſumption we ſhould have to characterize as thoſe of a madman the ſeries of his acts from the opening of December to Chriſtmas Eve. He had removed the train-bands on guard at the two Houſes, and had ſubſtituted companies officered by himſelf. He had put forth a moſt offenſive order on the ſubject of religious worſhip. He had recaſt the offices at Court, notoriouſly that he might invite into his councils the leading opponents of the Great Remonſtrance; † or Foolhardineſs of the King. Removes the Guard from the Houſes: Gives office to leaders of the minority:

* MS. State Paper Office. Sidney Bere to Sir John Pennington.

† On the 2nd of December Mr. Thos. Wiſeman thus writes (MS. State Paper Office), as his "aſſured and affectionate friend to command," to Admiral Sir John Pennington: "My Lord of Holland, they ſay, hath loſt himſelf both "with the King and Queen; and for my part I believe it; "becauſe hee hath been obſerved to hold councills and "conſultations with the Lords in the abſence of the King "that have been againſt Epiſcopacie and the Booke of Common "Prayer: Wch his Matie ſince his cominge home hath "declaratively reſolved to uphold, and with his lyfe to "mayntayne. It is noyſed there will bee ſuddenly a greate Wiſeman to Pennington, 2nd Dec. 1641.

it might be with other hopes in that direction, ſecret as yet, or known to Pym alone.

Aſſails privilege: He had aſſailed the privileges of the Commons

" remove at Court of cheiff offic^rs, and that Sir John Banks " ſhall be Lord Treas^r. Mr. Nicleys [Nicholas] was on " Monday laſt ſworne Secretary of State and knighted; and " my Lord Savill had the ſtaff given him at Yorke of being " Treas^r of the King's Houſehold in Mr. Secret^y Ffane's " place, who it is thought will not bee Secret^y long. He " hath very ill lucke, to bee neither loved nor pittied of any " man." Some few days before, Sidney Bere had written (MS. 25th Nov.): "At Newcaſtle I underſtand Mr. Secretary " Vane was commanded to deliver up his ſtaffe of Treaſur^r; " wh^ch was confered att Yorke upon my Lord Savile: it is " what was long ſpoken of & expected by him, and ſoe it " will be noe greate newes to you. The place of Secretary he " ſtill keepes: wch if he continue, as I ſee no great appear- " ance to the contrary, he will not much reflecte on the loſſe " of the other." Seven days later, the Under Secretary wrote again (MS. 9th Dec. 1641) to the Admiral: "The report " goes ſtrong with us that many great removes more shallbe, " out of hand; what ground there is for it, I cannot tell, but " thus the ſpeech goes: Sir John Bankes to be Lo. Treaſ^r, " Chamberlaine made Admirall, and Briſtow Chamberlaine; " Holland, Newport, and ſome ſay Hamilton, alſo to be " diſplaced. In the mean time we have a Lo.-Steward wch is " Duke of Richmond. And thus we have and ſhall have " many changes and removes in Court. Sr Henry Vane the " Yonger, its generally ſaid, and believed, will looſe his place. " I writt you of it by my laſt; and mythinkes, if you have " a thought that way, a timely office done by Mr. Secretary, " who is ſoe much your friend, might be of good uſe." Welcome to the Admiral, however, as the place of Treaſurer of the Navy would have been in quieter times, the troubled reports of his correſpondents appear to have decided him not to apply for it. On the 23d Dec. the Under Secretary writes (MS. State Paper Office), after mentioning the diſſatiſfaction of the Commons at the removal of Young Vane: " Yet ſtill, S^r Wm. Penningman [Pennyman] ſtands the man " deſigned for it, though as yett nothing (to my beſt know- " ledge) hath paſt to that purpoſe. But I eaſily aſſent to " yor opinion that in ſuch diſtempered tymes as theſe are, " you have little deſire to muſter up friends for any employme^t " of that nature, howſoever it were to be wiſhed a place of " that truſt had a man of yor experience and worth—but I " ſtirre noe further in it, ſince its not yor pleaſure."

Under Secretary Bere to Pennington, 25th Nov. 1641.

Same to ſame, 9th Dec.

Court changes.

Same to ſame, 23rd Dec.

in a vital point, by an intemperate meſſage of diſapproval during their diſcuſſion of a bill for raiſing ſoldiers by impreſſment. He had raſhly iſſued, on the very day after the citizens preſented their petition againſt the Biſhops, a proclamation commanding the ſevere execution of the ſtatutes againſt all who ſhould bring in queſtion or impugn the book of Common Prayer. And while thus harſh in preſſing, on the one hand, the law againſt Puritan opponents of the Church, he had the inconceivable folly to reſpite its operation, on the other, in favour of certain Roman Catholic prieſts who had incurred the wrath of the Commons and fallen under ſentence of the courts, and whoſe lives lay juſtly forfeit.

Interferes with a bill under diſcuſſion:

Enforces laws againſt Puritans:

Remits penalties againſt Roman Catholics.

What occurred thereupon would have daunted a ſovereign of the Tudor line, but Charles the Firſt had as little of the bold reſolution as of the conſiderate fear which alone is truly valiant. At the ſame ſeſſions when theſe prieſts were condemned to die, there had alſo been condemned to death ſeveral men for common offences. It was not ſuppoſed poſſible, after a reprieve had been ſent to the Jeſuit offenders, that their fellow-priſoners, condemned for offences held then to be comparatively venial, would be executed. An order for the execution was nevertheleſs received, and the agitation throughout the City was extreme. Monday the 13th December was

Partial execution of the laws.

appointed for the execution; but on the previous Sunday evening arms had been ſecretly conveyed into Newgate, and open reſiſtance was made next day to the attempt to carry out the warrant. The reſiſtance was overmaſtered that night, the wealthier citzens, however indignant at the King's interference, not chooſing themſelves to interfere againſt the law; and on the Tueſday the men were hanged.* The incident

Reſiſted by the people.

Slingſby to Pennington, 16th Dec. 1641.

Attack upon Newgate.

Reprievals of Popiſh offenders.

* I diſcover theſe curious facts in a letter which Captain Slingſby writes (MS. State Paper Office) to Pennington on the 16th of Dec. (the letter is dated by miſtake the 16th Jan.). He mentions the City petition againſt the Biſhops and their continued attempts to enforce the Liturgy, and proceeds: "The next day after the delivery of the petition the King "ſett out a proclamation comaunding the ſevere execution of "the lawes againſt the contemners and oppugners of the "Comon Prayer Booke; and an other comaunding all men "whatſoever that had right to ſitt in Parliament to repaire "thither by the twelfth of Janu. Theſe gave great diſtaſt to "that faction of the Cittie that were the petitioners. There "was a very greate Seſſions the laſt weeke, where there were "ſeven prieſts condemned but reprieved by the Kinge: "many for other crimes: Munday laſt being appointed for "their execution. Some body had conveighed ſome armes "into Newgate to them the night before: ſo y^t^ they ceazed "upon the priſon, and ſtood upon ther defenſe moſt part "of that day: but at night were overmaſtered and the next "day hanged . . . . the Houſe is much diſtracted at the re-"prieve of the Prieſts, and att the forraigne Ambaſſadors for "medling in itt, eſpecially at the Frenche, who did lay downe "ſome reaſons wch did aggravate ther diſtaſt." Clarendon has not noticed this remarkable incident, nor is it mentioned in any of the hiſtories, but in adverting to Secretary Windebank's flight he leaves us no room to doubt the view he was himſelf diſpoſed to take of ſuch a "ſuſpending power" as Charles was practically exerting in theſe reprievals of popiſh offenders. "I could never yet learn," he ſays, ſpeaking of the conduct of the leaders of the Houſe, "the true reaſon "why they ſuffered Secretary Windebank to eſcape their "juſtice, againſt whom they had more pregnant teſtimony of "offences within the verge of the law than againſt any "perſon they have accuſed ſince this parliament, and of ſome

left ſuch a ſenſe rankling in the breaſts of all claſſes of citizens, as the wiſdom of the moſt powerful of princes might have feared; but Charles the Firſt only the more bethought him how better to reſtrain and curb theſe factious and rebellious citizens. And as, for other reaſons, his mind had been brooding over a meaſure on which he had lately reſolved, to obtain more complete command of the Tower, he ſelected this preciſe time to give effect to an intention which was to carry with it the moſt diſaſtrous conſequences.

A time for caution.

Diſaſtrous reſolve of the King.

The Tower commanded the City. It was the "Bridle" to the too reſtleſs citizens, as the courtiers commonly called it;* and it was eſſential not more to the ſafety of thoſe well affected to the Houſe of Commons than to the ſecurity of the Houſe of Commons itſelf, that its Governor ſhould be a man in whoſe good faith they had confidence. Sir

The Tower:

and its Governor.

"that, it may be, might have proved capital, and ſo their "appetite of blood might have been ſatiſfied; for, beſides "his frequent letters of interceſſion in his own name, and "ſignification of his Majeſty's pleaſure, on the behalf of "papiſts and prieſts, to the judges, and to other miniſters of "juſtice, and protections granted by himſelf to prieſts that "nobody ſhould moleſt them; he harboured ſome prieſts in "his own houſe, knowing them to be ſuch, which, by the "ſtatutes made in the 29th year of Queen Elizabeth, is made "felony; and there were ſome warrants under his own hand "for the releaſe of prieſts out of Newgate who were actually "attainted of treaſon, and condemned to be hanged, drawn, "and quartered: which, by the ſtrict letter of the ſtatute, the "lawyers ſaid, would have been very penal to him."—*Hiſt.* i. 311-312.

Windebank's crime and eſcape.

* Clarendon, *Hiſt.* ii. 81.

William Balfour was ſuch a man, as he had ſhown by his reſolute refuſal of enormous proffered bribes to connive at the eſcape of Strafford. But Balfour, the tried friend of the Parliament, was now ſuddenly removed from this all-important command, and it became known, on Chriſtmas eve, that in his place there had been appointed a ſoldier of evil character and infamous name, whoſe only conceivable qualification could have been, that of preſenting himſelf to the Court as a mere deſperate tool for any kind of reckleſs ſervice.* He was a man, ſays Sir Simonds D'Ewes, given to drinking, ſwearing, quarrelling, and other vices; much in debt, and very deſperate.† More than ten years before the preſent date Lord Dorſet had characteriſed him as a young outlaw who feared neither God nor man, and who took a glory to be eſteemed rather a ſwaggering ruffian than the iſſue of an ancient and honeſt family. He belonged to the army of the North, and had been deeply involved in the plots for bringing it up to overawe the Parliament.

Balfour removed.

Lunſford appointed:

His infamous character.

His cloſe friendſhip with Lord Digby.

Clarendon cannot but admit that ſuch was the confeſſed and notorious repute of Lunſford, who was nevertheleſs companion and friend to

Lunſford's warrant.

* The warrant of the appointment of "our truſty and "well-beloved ſervant Col. Thomas Lunſford," is in the State Paper Office. It is given "under our ſignet at our "Court at Whitehall the 22d Day of December 1641," and is addreſſed to Lords Mancheſter, Dorſet, Dunſmore and Newburgh. † *Harl. MSS.* 162, f. 272 *b.*

his excellent friend Lord Digby; and he explains with ſufficient frankneſs, though after his uſual faſhion, the object of the King and Lord Digby in appointing him.* It was, that, having now ſome ſecret reaſon (which, he interpoſes but his editors omitted, "was not a "good one") to fill that place in the inſtant with a man who might be truſted, this man

Object in appointing him:

* His account of Lunſford's appointment is indeed in every way highly characteriſtic. Sir William Balfour having, he ſays, had from the beginning of this parliament, "accord- "ing to the natural cuſtom of his country" (Balfour was a Scotchman, and by the prudence of Hyde's firſt editors theſe words are eraſed from all the ordinary editions), "forgot "all his obligations to the King . . . there had been a "long reſolution to remove him from that charge . . . yet "there was neither notice or ſuſpicion of it, till it was heard, "that Sir Thomas Lunſford was ſworn Lieutenant of the "Tower; a man who, though of an ancient family in "Suſſex, was of a very ſmall and decayed fortune, and of no "good education; having been few years before compelled "to fly the kingdom, to avoid the hand of juſtice for ſome "riotous miſdemeanour . . . he was ſo little known, except "upon the diſadvantage of an ill character, that, in the moſt "dutiful time, the promotion would have appeared very "ungrateful." And then follows one of thoſe ſentences of endleſs involution, and confuſion of all relatives and antecedents, from which it is extremely difficult to elicit the preciſe meaning. He aſſerts that Lunſford's appointment was ſecretly the work of Lord Digby, who had meant to give it to his brother, "but *he* (the brother) being not at that time in town, "and *the other*" (ſtrictly this ought to mean the king, but Lord Digby ſeems really meant) "having ſome ſecret "reaſon (which was not a good one)" the latter words alſo are eraſed from the ordinary editions—"to fill that place in "the inſtant with a man who might be truſted; *he* ſuddenly "reſolved upon this gentleman, as one who would be faithful "to him for the obligation, and execute anything he ſhould "deſire or direct,"—hold faſt the five members, for example, if he could once get them ſhut up in the Tower? But how monſtrous the attempt of Clarendon to put up Digby in ſuch a purpoſe as the 'ſcapegoat for the King—if (which perhaps is doubtful) the laſt quoted "*he*" muſt be taken to ſtand for Digby and not for the King himſelf.

Clarendon's account of the appointment.

Clouds of words.

Digby the 'ſcapegoat.

A man to execute anything:

was ſuddenly reſolved upon as one who would be faithful for this obligation, and execute anything that ſhould be deſired or directed. A laboured periphraſis, which Biſhop Warburton puts into plain ſpeech when he writes upon the margin of the page containing it, that the object was "to keep the five members ſafe "whom it was determined to arreſt." "So "as now," writes D'Ewes, in that entry of his Journal of the 24th of December which reports the diſcuſſion upon Lunſford's character, preſerves the angry ſpeeches reſpecting him of the members for York, Middleſex, and Eſſex (Sir William Aliſon, Sir Gilbert Gerrard, and Sir William Maſham), ſets down the King's proclamation confirming the appointment, and laments over the vote of the Lords declining to join the Commons in prayers that it ſhould be cancelled,* "So as now all things

and keep the five members, once arreſted, ſafe.

Lords who ſided with majority in Commons.

* The minority of twenty-two peers who proteſted againſt this too ſcrupulous objection to interfere with the King's prerogative of placing or diſplacing his officers, gives us the names of the leading members of the popular party in the Upper Houſe. They were the Earls of Northumberland, Eſſex, Pembroke, Bedford, Warwick, Bolingbroke, Newport, Suffolk, Carliſle, Holland, Clare, and Stamford, and the Lords Say and Seale (old Subtlety as he was called), Wharton, St. John, Spencer, North, Kimbolton, Brooke, Grey de Werk, Robartes, and Howard de Eſcricke. It may be worth adding that, a very few weeks later, upon the incident of the 26th Jan. 1641-2, when the Duke of Richmond perpetrated his famous ſally of propoſing to evade the Militia bill, ſent up from the Commons, by adjourning for ſix months, twenty-four Peers entered a proteſt againſt the vote requiring the Duke to make ſubmiſſion and aſk pardon, as "not a "ſufficient puniſhment for words of that daingerous conſe-"quence." On this occaſion ſeventeen of the foregoing

Duke of Richmond's ſally: 26th Jan. 1641-2.

" haſten apace to confuſion and calamity; Evil fore-
" from which I ſcarce ſee any poſſibility in bodings of Sir Simon
" human reaſon for this poor Church and D'Ewes.
" Kingdom to be delivered. My hope only
" is in the goodneſs of that God who hath
" ſeveral times during this parliament already
" been ſeen in the Mount, and delivered us
" beyond the expectations of ourſelves and of
" our enemies, from the jaws of deſtruction."*

An addreſs for Lunſford's removal was that day voted in the Lower Houſe without a diſſentient voice; and the Conſtable of the Tower, the Earl of Newport, was requeſted for the preſent to take command of the place and to lodge therein. Addreſs voted for Lunſford's removal.

The deſire of the Houſe was conveyed to Lord Newport by Sir Thomas Barrington and Mr. Henry Marten, who were informed thereupon that he was no longer Conſtable. The King had ſuddenly diſmiſſed him for an alleged diſloyal ſpeech during the royal abſence in Scotland. The incident further ſhows in what direction all was now rapidly tending. The charge againſt Lord Newport was that on the occaſion of a meeting held at Kenſington, at which Pym and Lord Kimbolton were preſent, as well Diſmiſſal of Lord Newport. The charge againſt him:

names reappeared, with omiſſion of thoſe of Lords Newport, Carliſle, Clare, Say and Seale, and North, but with addition of thoſe of the Earls of Lincoln and Leiceſter, of Viſcount Conway, and of Lords Chandois, Hundſdon, Paget, and Willoughby de Parham. See Sir Ralph Verney's *Notes*, p. 149.

* *Harl. MSS.* 162, f. 278 *b.*

A propoſal to ſeize hoſtages for the King's good faith.

as Nathaniel Fiennes, his father Lord Say and Seale (old Subtlety), Lord Wharton, Lord Dungarvon, and Sir John Clotworthy, upon ſome diſcourſe of an apprehended deſign to overawe the Parliament by means of the army of the North, the Earl had remarked, "If there be ſuch a plot, yet "here are his wife and children,"* meaning that theſe might be ſeized as hoſtages. Taxed with the words by the King himſelf, Lord Newport indignantly denied them: upon which, with inſulting addition, the queſtion was repeated: "You can tell me nothing more than "I know already; therefore conſider well "what you anſwer." Lord Newport anſwered with vehement repetition of his denial; and the King, contemptuouſly profeſſing ſorrow for his Lordſhip's memory, intimated that he was no longer Conſtable of the Tower, and turned upon his heel. That was on the afternoon of Friday the 24th December. On Wedneſday the 29th the King informed the Houſe of Lords that he had never believed the charge againſt the Earl, and deſired it to be withdrawn.

The lie given to Lord Newport, 24th Dec.

The lie retracted, Dec. 29th.

Such was the wonderful, the almoſt incredible levity of Charles the Firſt, in matters of accuſation the moſt grave. Between that 24th and 29th of December the aſpect of

Warnings in the interval.

* See *Commons Journals* (Tueſday 28th December), ii. 359.

affairs had grown more ſerious, frequent gatherings together of large numbers of the people had increaſed, diſcontent took a threatening aſpect, and on the eve of the moſt deſperate reſolution of his life, his wavering irreſolute temper ſeemed to have yielded ſuddenly. The withdrawal of the charge againſt Lord Newport was one indication; but another, much more remarkable, and hitherto unſuſpected by any hiſtorian, is now to be diſcloſed.

Sudden yielding of the King.

Extraordinary determination taken.

§ V. Pym and the King.

Beyond all queſtion the moſt popular man in England at this time was Pym. The attempts made upon his life during the debates on the Remonſtrance, and above all the victory obtained in that ſtruggle, had raiſed him even higher than during the memorable conflict with Strafford. It was not ſimply that he was the foremoſt man in the Parliament by which ſo much had been achieved for the people, or that its very exiſtence was in ſome meaſure due to him, but alſo that he alone repreſented in his perſon the parliaments of former years, and thoſe uſages and precedents, become ſince the very bulwarks of freedom, which had only then been won by the hard and deſperate endurance, the long impriſonments, not ſeldom the deaths, of the great men of the paſt. In him the people ſtill ſaw the Cokes, the Eliots, the Sir

Popularity of the leader of the Commons.

Its cauſes.

Pym impriſoned for his opinions in 1614.

Robert Cottons,* remembered and honored as the earlieſt martyrs of the Stuart Kings. He had himſelf been the inmate of a ſtate priſon, as the reward for his conduct as a repreſentative of the people, now nearly eight-and-twenty years ago. He had been a leading member in that wiſe and noble aſſembly which met in 1620, and aboliſhed the infamous monopolies at that time eating out the heart of the kingdom.† He was one of the twelve who carried their famous declaration to King James at Newmarket, when the quick-witted ſhrewd old monarch called out, "Chairs! "chairs! here be twal kynges comin!" In all the ſubſequent parliaments of that and the ſucceeding reign he had played a diſtinguiſhed part; and when, after intermiſſion of thoſe conventions for twelve years, they met once more in April 1640, and men gazed upon each other looking who ſhould begin, much

A member of the Parliament of 1620.

One of James the Firſt's "twelve "kings:"

Antiquary Cotton's ſufferings at ſeizure of his library.

* On pretence of a charge that he had furniſhed precedents to Selden and Eliot, Sir Robert Cotton's noble library was ſeized and held by the King, and unable to ſurvive its loſs the great ſcholar died. "When," ſays D'Ewes, "I went "ſeveral times to viſit and comfort him in the year 1630, he "would tell me they had broken his heart that had locked up "his library from him . . . He was ſo outworn within a "few months, with anguiſh and grief, as his face, which had "formerly been ruddy and well colored, was wholly changed "into a grim and blackiſh paleneſs, near to the reſemblance "and hue of a dead viſage." A few months afterward he was dead.

† "A parliament" it is well ſaid by the leading liberal ſtateſman of our time, "to which every Engliſhman ought "to look back with reverence." Lord John Ruſſell's *Eſſay on the Hiſtory of the Engliſh Government and Conſtitution, p.* 50.

the greater part, as Clarendon ſays, having never before ſat in Parliament, there quietly aroſe to his place at their head the man above all others qualified by experience, by eloquence, and by courage to lead the Engliſh people. It was then that Pym's extreme influence ſtruck root, and his name became a word familiar over England. This was he who, in that brief Parliament ſo fatally diſſolved, had told the wonderful ſtory of their wrongs, which was all it bequeathed to the ſuffering millions. This was he who chiefly had wreſted from the Court its aſſent to the greater and ſtronger Parliament, from which at laſt redreſs was come. This was he who, on the iſſue of the writs for that memorable aſſembly, had with Hampden ridden England through, to urge upon all its inhabitants their duties and their right, to chooſe honeſtly and petition freely. This finally was he who ſince had broken down for ever the tyranny of Strafford and of Laud, and who now had publiſhed to the world the Great Remonſtrance. Shall we wonder if every nook and corner of the kingdom were pervaded with his influence and renown, and that, ſo identified with the paſt, on him it might almoſt ſeem excluſively to reſt what the future was to bring. "I think Mr. Pym was at this time," ſays Clarendon, "the moſt popular man, and "the moſt able to do hurt, that hath lived in "any time."

Riſes to the place of Leader: April, 1640.

Qualities and ſervices which endeared him to the people.

Clarendon's tribute to Pym's popularity.

Former intercourſe with the King.

Already once the King had turned to him in a terrible extremity. When the ſcheme was on foot to ſave the life of Strafford he had offered Pym the Chancellorſhip of the Exchequer. Clarendon, who ſtates the matter not unfairly, ſays the offer came too late, for that Pym and his friends could not then permit the Earl to live; and he regrets its failure on the ground that it would have given the King ſome able men to adviſe and aſſiſt him.* Strange and ſtartling as it ſeems, amid the events I am here deſcribing, the King appears to have now again, even with what he afterwards alleged to be the proof of treaſon in his hand, opened a negotiation with the parliamentary leader for acceptance of the ſame office. The details I have not been able to aſcertain,

Negotiations again opened.

Why the King's efforts to conciliate failed.

* There is much beſide ſaid by Clarendon on this head, which, though coloured of courſe by his peculiar manner and tone, throws light upon the real cauſes of the failure of every effort at accomoda ion: "But the rule the King gave "himſelf (very reaſonable at another time) that they ſhould "firſt do ſervice and compaſs this or that thing for him, "before they ſhould receive favour, was then very unſeaſon-"able; ſince, beſides that they could not in truth do him that "ſervice without the qualification, it could not be expected "they would deſert that ſide, by the power of which they "were ſure to make themſelves conſiderable, without an "unqueſtionable mark of intereſt in the other, by which they "were to keep up their power and reputation. And ſo, "whilſt the King expected they ſhould manifeſt their inclina-"tions to his ſervice by their temper and moderation in thoſe "proceedings that moſt offended him, and they endeavoured, "by doing all the hurt they could, to make evident the power "they had to do him good, he grew ſo far diſobliged and "provoked that he could not in honour gratify them, and "they ſo obnoxious and guilty that they could not think "themſelves ſecure in his favour." *Hiſt.* ii. 61.

beyond the fact that the offer was made to Pym alone. King Pym* the people

* The reader may perhaps be amuſed by one or two examples of the uſe the Royaliſt libellers made of this epithet. As thus: Royaliſt libellers of Pym.

Your ſerious ſubtilty is grown ſo grave,
We dare not tell you how much power you have.
At leaſt you dare not hear us. How you frown
If we but ſay, King Pym wears Charles's crown!
* * * *
Well, we vow
Not to act anything you diſallow:
We will not dare at your ſtrange votes to jeer
Nor perſonate King Pym with his ſtate-ſlear!
The Players' Petition.

Or again: from *Pym's Anarchy:*

Aſk me no more why Strafford's dead, Things done when Pym was King.
And why we aimed ſo at his head?
Faith, all the anſwer I can give,
'Tis thought he was too wiſe to live!
* * * *
Aſk me no more why in this age
I ſing ſo ſharp without a cage . . . .
This anſwer I in brief do ſing;
All things were thus when Pym was King.

Or, from the *New Diurnall:*

And yet their Rebellion ſo neatly they trim
They fight for the King, but they mean for King Pym.

Or, from that Epigram upon *The Parliament's Beliefs* which ſhows how far ſuch libellers could go:

Is there no God? let's put it to a vote.
Is there no Church? ſome fools ſay ſo by rote.
Is there no King, but Pym, for to aſſent
What ſhall be done by Act of Parliament? A propoſed enactment.
No God, no Church, no King—then all were well
If they could but enact there were no Hell.

Or, from the *Cavalier's Prayer:*

Lawn ſleeves and ſurplices muſt go down,
For why, King Pym doth ſway the crown—
But all *are* Biſhops that wear a Black Gown,
Which nobody can deny.

Or, finally (for ſuch illuſtrations might be indefinitely prolonged), from the libel of which the opening lines alſo

King Pym:

called him; and the incident, one of the laſt before the country ſeparated into two hoſtile camps, and hardly credible if ſimply related as from King to ſubject, might indeed rather ſeem to expreſs the relation of ſovereign to ſovereign. But Charles had always, as will ſufficiently be ſeen throughout this narrative, a feeling towards the great leader of the oppoſition againſt him, which appeared ſtrangely to fluctuate between deſire and dread. In the correſpondence between himſelf and his Queen, Pym's name is that which moſt frequently occurs, whether the deſign be to inveigle and ſnare, or more openly to denounce, the moſt powerful of the parliamentary leaders;* and even in the Royaliſt ſongs againſt the popular tribune there is that which expreſſes, though very often in moſt extrava-

Secret influence over King Charles.

curiouſly reflect Pym's continuous and zealous efforts to enforce that early and full attendance at the Houſe in which ſo many members of even the popular party were ſo frequently remiſs:

Chides the members for late attendance.

Truth! I could chide you Friends! why how ſo late?
My watch ſpeaks eight and not one pin o th' ſtate
This day undone! Can ſuch remiſneſſe fit
Your active ſpirits, or my more Helliſh wit?
The ſun each ſtep he mounts to Heaven's crown,
Whilſt Pym commands, ſhould ſee a kingdome down.

* * * *

Thus whilom ſeated was Great James's Heir
Juſt as you ſee me now, i' th' Kingdom's Chair.

* * * *

Happieſt in ſtorms.

Calmes proper are for guiltleſſe ſons of Peace,
Our veſſels bear out beſt in ſtormy ſeas.
Charles muſt not reign ſecure whilſt reigns a Pym:
The ſun, if it riſe with us, muſt ſet with him.

Pym's Junćto, 1640.

* See my *Hiſt. & Biog. Eſſays*, i. 19.

gant forms, a ſomething that yet involves him more cloſely with the King than is attempted againſt any other of the zealous and active men upon whom thoſe reckleſs libellers emptied moſt eagerly their ribaldry and ſcorn.* Songs and Satires againſt the Parliament.

* For one inſtance take the following: ſelected from many of a ſimilar character:

(*The Humble Petition of the Houſe of Commons*).

Next, for the State, we think it fit
That Mr. Pym ſhould govern it,
He's very poor:
The money that's for Ireland writ,
Faith, let them have the Devil a bit,
We'll aſk no more.

(*The King's Anſwer to the Humble Petition*).

When you no more ſhall dare hereafter
A needleſſe thing which gains much laughter,
Granted before;
When Pym is ſent Ireland to ſlaughter
And ne'er more hopes to marry my daughter,
You'll aſk no more.

Pym and the "King's daughter."

To this I may add ſome lines UPON MR. PYM'S PICTURE, which through all their violent abuſe yet expreſs a kind of awe and terror at the man's predominance and power.

Reader, behold the counterfeit of him
Who now controuls the Land—Almighty Pym!
A man whom even the Devil to fear begins,
And dares not truſt him with ſucceſſleſs ſins.
A man who now is wading through the Flood
Of reverend Laud's and noble Strafford's blood,
To ſtrike ſo high as to put Biſhops down
And in the Mitre to controul the Crown.

Pym's picture.

The wretch hath mighty thoughts, and entertains
Some glorious miſchief in his active brains,
Where now he's plotting to make England ſuch
As may outvie the villany of the Dutch:
He dares not go to Heaven, 'cauſe he doth feare
To meet (and not pull down) the Biſhops there!

Muſt avoid Heaven for fear of Biſhops.

Is it not ſtrange that in that ſhuttle head
Three kingdomes' ruines ſhould be buried?

Pym's conſtitutional opinions.

Remarkable in every reſpect indeed was the mingled influence exerted by this famous member of the Commons over the Sovereign whoſe deſtiny he ſo largely controlled, and who never ſeems to have raiſed againſt him the hand to ſtrike but with a miſgiving that paralyſed its aim, and ſoon or late brought himſelf into the ſuppliant poſture to which he would have reduced his adverſary. Still Pym is ever the perſon ſingled out for notice by Charles, and ſtill the evil and the good alternate. Again and again, during the paper war which attended the events I am relating, and uſhered in the more terrible war, Charles is found recurring to his ſpeeches for cauſes of indignant proteſt, of expoſtulation, of reproach; but the day as ſurely comes later in the ſtruggle, when Pym is lying in his grave in Weſtminſter Abbey,* when his place is occupied by ſterner and leſs ſcrupulous men, and when the poor King is fain to ranſack the very ſpeeches in which once he found nothing but rebellion, for maxims of conſtitutional lore, for juſt expoſitions of the monarchy, for counſels to reſpect the law. Theſe, the moſt

Alternately held up for avoidance and for example.

Characteriſtics of his oratory.

> Is it not ſtrange there ſhould be hatch'd a Plot
> Which ſhould outdoe the Treaſon of the Scot,
> And even the malice of a Puritan?
>
> Reader behold, and hate the poyſonous man!
> The Picture's like him: yet 'tis very fit
> He adde one likeneſs more—that's—*Hang*, like it!

Pym's laſt reſting-place.

* "Mr. Pym was buried with wonderful pomp and magnificence in the place where the bones of our Engliſh kings and princes are committed to their reſt."—Clarendon, *Hiſt.* iv. 441.

ſtriking qualities of the orator, and from which even Charles could not turn away altogether unheeding, may indeed have had ſome influence thus early in bringing about a renewal of the offer of the Chancellorſhip of the Exchequer. Clarendon evidently thought ſo. He does not refer to it in expreſs terms; but he helps materially to explain it when he intimates that even Hampden's acceſſion, after his return from Scotland, to what was called the root and branch party in the State, had not entirely carried Pym along with it;* that the member for Taviſtock had no inſuperable diſlike to the conſtitution of the Engliſh Church, apart from Laud's groſs and cruel adminiſtration of it; and that in conſenting to let Pym ſave the Monarchy, Epiſcopacy alſo might be ſaved. Be this as it may, the offer came too late. In the authority from which my information is derived, there is nothing to explain the circumſtances of it, and I cannot diſcover that Pym himſelf made

Chancellorſhip of Exchequer again offered to Pym.

Pym leſs extreme than Hampden.

The offer made too late.

* "Mr. Pym was not of thoſe furious reſolutions againſt "the Church as the other leading men were, and wholly "devoted to the Earl of Bedford, who had nothing of that "ſpirit."—*Hiſt.* i. 323. "In the Houſe of Commons, though "of the chief leaders Nathaniel Fiennes and young Sir "Harry Vane, and ſhortly after Mr. Hampden (who had "not before owned it), were believed to be for root and "branch; which grew ſhortly after a common expreſſion, "and diſcovery of the ſeveral tempers; yet Mr. Pym was not "of that mind, nor Mr. Hollis." *Ib.* i. 410. "Mr. Pym was "concerned and paſſionate in the jealouſies of religion, and "much troubled with the countenance which had been given "to thoſe opinions that had been imputed to Arminius. . . . "yet himſelf profeſſed to be very entire to the doctrine and "diſcipline of the Church of England."—*Ib.* iv. 437.

Pym not adverſe to the Church: But to Arminian practices.

Pym ſilent as to the King's offer:

afterwards the remoteſt alluſion to it. It is hardly likely indeed that any ſuch reference from him would have been compatible with the terms on which it was ſubmitted, with the reſpect ſtill neceſſarily paid to Charles, or with the ſafety of his own poſition among the extreme members of the Commons. But Pym muſt well have known his danger in declining the offer, and that it thickened the royal ſnares which already were ſpread around him.

Rejects it.

The fact is at any rate indiſputable, that ſuch an offer was ſpecifically made and rejected. It reſts on the authority of the member for Kent, Sir Edward Dering, whoſe ſervices to the Court in the debates on the Grand Remonſtrance had won him recent and grateful acceptance there; and whoſe colleague in the repreſentation of the county, Sir John Culpeper, received the office on Pym declining it. In a private letter to Lady Dering, written early in January, containing other evidence of his favor at Court and with the Queen, he tells her: "The King is too flexible and too good-natured; for within two howers, and a greate deale leſſe, before he made Culpeper Chancellor of the Exchequer, he had ſente a meſſenger to bring Pym unto him, and wold have given him that place."* Cul-

Sir Edward Dering to Lady Dering, 13th Jan. 1641-2:

Deſcribes Charles's overture to Pym.

* Since this letter was obligingly communicated to me, it has been, with many other very intereſting papers from the Surrenden manuſcripts, placed for publication in the hands of the Camden Society by the Rev. Lambert Larking, and

peper's patent is not dated until the 7th of January, but the office had been given to him ſeveral days before, and he had taken his ſeat at the Council Board on New Year's Day. The exact period of the offer to Pym can only now be gueſſed at, but we may narrow it within the limits of the laſt half of December.

Culpeper receives what Pym had declined, 1st January, 1641-2.

Thoſe days had ſeen ſeveral changes. The ſeals, which Windebank had voided by his ignominious flight, were given to Nicholas.*

the volume, already announced for publication under Mr. Larking's editorſhip, will rank appropriately with the many other rare and important illuſtrations of this great period of our hiſtory in which the Camden Collection of books is peculiarly rich.

Camden Society books.

* I have found in the State Paper Office, and cannot reſiſt quoting, a letter written by Windebank from Paris (whither he had ſucceeded in making good his flight), upon hearing that Nicholas had been appointed Secretary in his place. It exhibits the meanneſs of the man's nature; but more than this, it ſhows in my judgment plainly enough, that parliament was thoroughly juſtified in having charged the Ex-Secretary as accomplice with the Queen in private and illegal practices to favour the Roman Catholic religion. The letter is addreſſed to his ſon and dated the 27th (or in the Engliſh ſtyle the 17th Dec.), 1641. "Tom," it begins, "your letters . . . . . were very wellcum both for the greate honor they brought me from the Queene's Ma: & the good news of your health and of the reſt of myne in thoſe partes. I do forbear to preſent my moſt humble thankes myſelfe to Her M: for the ſame reaſon that She in Her wiſdom did not think fitt to venter a lett^r to me: Yet yo^u muſt not fail to paſſe that office in all humility for me, acquainting Her M: withall that I never was in a condition that more required her comfort and gracious aſſiſtance than now that I finde, by the diſpoſing of the place I had the Honor to holde neere His M:, no hope left to ſerve my Royall Maſter againe, wch really is the greateſt coroſive to my harte that can be. I do acknowledge it is no more than I had reaſon to expect, & I thank God I have had time to be prepared for it. Nevertheleſſe now it is come I cannot be ſo ſtupid as not to be ſenſible of that wch ruines me and my poſterity,

Windebank to his ſon, 17th Dec. 1641. Secret underſtanding with the Queen.

Old Vane finally diſmiſſed.

The Court exodus of Old Vane, whoſe ſtaff of the Treaſurer of the Houſehold had been taken from him at Newcaſtle to be at York beſtowed on Lord Savile, was now completed by the demand that he ſhould deliver up the ſeals of Secretary, deſigned for Falkland.* The old

" nor ſo iniurious to myne owne harte to think that after ſo
" many years painfull & faithfull ſervices to both their
" M M: I have deſerved it. My hope is that His M. hath
" done it to preſerve mé from a greater blow (though truly
" for my own particular & ſetting aſide the intereſts of you
" & the reſt of my poor children a greater cold not falle upon
" me) & that knowing my entire affections to his perſon &
" ſervice moſt farr from the leaſt guilte of any intention to
" offend, will in His Princely Goodneſſe & His owne beſt
" tyme vouchſafe me & myne reliefe. In the meantime I
" ſhall eſteem this & (if occaſion ſerve) my deereſt harte
Grief at loſing place. " bloud a bleſſed ſacrifice, if they may contribut any thing to
" the redreſſe of His M: affaires, hoping that this ſhall ſerve
" for ſatiſfaction & expiation (even in the opinion of the moſt
" ſevere) for any offence taken againſt me; and ſo the
" diſpleaſure of the time relente and go no farther, but
" that I may be permitted to retourne to myne own poor
" neſt in the Country to end my dayes there in peace."
Equally characteriſtic is the concluſion. The Queen in her ſecret communication had aſked Windebank to attend the French court for her, and to this he pleads unfitneſs, by reaſon of the ſtate of his mind, adding: " Beſides I acknowledge I
" am not yet in caſe to appear in publique, nor can for the preſt
" wynne ſo much upon my ſelf to looke upon a foraine Prince
" wth any contentment, being deprived of the bleſſed &
" gracious aſpect of my Maſter."

Windebank to his ſon, 24th Dec.

A fellow-feeling.

* Poor Windebank upon this writes to Son Tom from Paris $\frac{24th\ Dec}{3d\ Jan}$ 1641-2, taking the ſtrictly economical view of Vane's diſmiſſal, " The newes of the removall of Sir Henry
" Vane from the place of Secretary is very ſtrange heere, and
" truly my owne condition makes me ſenſible of his, w^ch
" conſidering his great burden of children is very comiſerable.
" But w^thall I am infinitly comforted wth that of the D. of
" Richmond wch is one of the nobleſt things the K: hath
" don of many yeares & of ſingular conſequence to his
" ſervice. If I durſt, I would wiſh yo^u to congratulat with
" His Gr: in all humbleneſs from me." It is quite in character that Windebank ſhould conſider the appointment

man's diſgrace was but part of the puniſhment over which Charles had brooded ever ſince Strafford's trial, which but for his weakneſs and iſolation he would then have inflicted, and which now he thought himſelf ſtrong enough to inflict, not ſimply on Vane himſelf but on his ſon. Young Vane, who held the office of joint Treaſurer of the Navy with Sir William Ruſſell, was ordered ſuddenly to ſend in his accounts preparatory to the iſſue of a new patent without his name.* We learn this from the letter of another correſpondent of Pennington's, Captain Carterett, a man of

Revenge for Strafford.

Young Vane alſo diſmiſſed.

of an amiable young Duke to an office in the Houſehold as the nobleſt and wiſeſt act of his glorious maſter.

* Admiral Pennington's deſire (already adverted to) to have had this office for himſelf, ſeems to have been generally underſtood by his friends; and upon the fact of Young Vane's diſmiſſal being firſt known, Capt. Dowſe, ignorant of the Admiral's intimation to the Under Secretary that he did not wiſh the matter preſſed for the preſent, went and aſked the office from the Lord Admiral, the Earl of Northumberland. His note (in the State Paper Office) proves that the gift of the office to Strafford's friend Pennyman was the King's perſonal act. "Noble Sir," he writes from York Houſe on Dec. the 30th, "Upon the firſt notice of Sir Henry Vane his "being diſcharged of the Treaſurer's place of the Navy I "did (as I have written to you before) repaire to my Lord to "deſire his Lo^p to remember your name to the King, if his "Ma^ty did put by Sir Henry Vane. My Lord told me then "that Sr Henry Vane was not abſolutely diſmiſſed until his "accounts were perfected for the whole yeare." A ſecond time he waited on the Earl; but "My Lord told me then "that the King had beſtowed the place upon Sir William "Pennyman, but if he could doe you any ſervice in it, he "would doe it. Soe wiſhing you a Merry Chriſtmas I reſt "&c." So long previouſly as the 16th December Capt. Slingſby had written deciſively to the Admiral "Sir Henry "Vane the Younger is diſmiſt of his Treaſurerſhippe of the "Navy, and Sir William Pennyman in his place."

Admiral Pennington looking for Young Vane's Office.

Captain Dowſe to Pennington, 30th Dec.

Captain Carterett.

great worth and diſtinction, who held the office of Comptroller of the Navy, and was, ſays Clarendon, of great eminency and reputation in naval command.* Charles had alſo further reſolved, to expreſs more plainly the ill-adviſed challenge he was thus flinging down to the Houſe of Commons, to beſtow the office on Strafford's agent and follower, Sir William Pennyman. "This much I "knowe," writes Captain Carterett on the 23rd December, to the Admiral of the fleet in the Downs,† "that the attorney hath a "warrant for to prepaire a bill for the drawinge "a patente for Sr William Ruſſell alone, his "joyned patente with Sr Hen. Vane being "recalled in, wch the Parliament doth take "ſomething ill. For it ſeemes that Sr Hen^y^ "Vane the Younger is much eſteemed in the "Houſe of Commons: but I doe not heare "the licke of his father, but rather that hee "hath loſt the good oppinion of both ſides." It might be ſo, but not in that hour of Court diſfavor would Pym have it thought ſo by the Court. He welcomed into the popular ranks the old ſervant of the King by adding his name to the ſelect committee for Iriſh

Young Vane ſucceeded by a friend of Strafford.

Captain Carterett to Pennington, 23rd Dec. 1641.

Pym welcomes Old Vane into the popular ranks.

* See *Hiſt.* iii. 115. Carterett's intereſt and reputation in the navy, according to the hiſtorian, was ſo great, and his diligence and dexterity in command ſo eminent, that the Parliament, in a criſis of much difficulty, notwithſtanding his Royaliſt opinions, named him for their Vice-Admiral.

† MS. State Paper Office. Carterett to Pennington, 23rd Dec. 1641.

affairs; and on the ſame 23rd of December, when Carterett ſo wrote to his Admiral, Under Secretary Sidney Bere, employed with Nicholas at Whitehall, was writing thus to the ſame correſpondent: * "I can now give you this "certainty, that a warrant hath paſſed for the "outing young Sr Hen. Vane, and on the con- "trary an order is made in the Lower Houſe "for to conſider of ſome meanes and wayes "whereby to preſerve him in; ſo that it is "likely there will bee greate debate and con- "teſtation about this buſineſſe." It became, in fact, a new cauſe of quarrel between the Commons and the King, and the conduct of Pym in regard to it ſeems to ſhow that the ſtartling overture ſo ſuddenly made to himſelf muſt already have been made and rejected.

The Under-Secretary to the Admiral, 23rd Dec.

The Commons reſent Young Vane's diſmiſſal.

Upon the probable motives, as well for that overture itſelf as for its rejection, though it has been ſeen that nothing can with certainty be ſtated, it will yet be not inappropriate to add ſuch ſuggeſtion here towards an explanation of both, as will fairly ariſe out of a careful conſideration of circumſtances attending not only the attempt involved in the preſent inſtance, but the ſimilar attempt which preceded it, to obtain for the King the ſervice of ſome of the chiefs who led the oppoſition againſt him. But for this it will be neceſſary to go back to a period

Previous offer to Pym and his friends: July, 1641.

* MS. State Paper Office. Sidney Bere to Pennington, 23rd Dec. 1641.

of nearly four months before the opening of my narrative.

Former attempt to give office to leaders of the Commons:

Clarendon leaves it to be inferred that the negotiation by which office was placed at the diſpoſal of the Parliamentary leaders during the proceedings againſt Strafford, had for its ſole object the hope of ſaving by ſuch means the life of that great miniſter; and that when this failed, and Strafford's head had fallen, no attempt was made to renew the propoſal.

Not a mere expedient for ſaving Strafford:

This however is not the fact. Within two months of the execution, Secretary Nicholas, in the ſame letter in which he communicates to Admiral Pennington the vote by which the Commons had ſentenced Lord Digby's publiſhed ſpeech on Strafford's attainder to be burnt, and had declared Lord Digby himſelf to be for the future unfit to hold place or receive employment under the King, adds this remarkable poſtſcript: "The Lord Digby was by "his Matie deſigned to have gonne Lord "Ambaſſador into Fraunce as ſoone as the "Earl of Leceſter ſhould returne thence, but "(it is thought) the Parliament will diſable "him for any ſuch imployment. The ſpeech "is that Mr. Hollis or Mr. John Hampden "ſhalbe Secretary of State, but the Lord "Mandeville doth now againe put hard for "that place."*

Renewed after Strafford's execution.

Hollis or Hampden named for Secretary of State, 15 July, 1641.

Secretary Nicholas

* State Paper Office. The letter is addreſſed "To my "much eſteemed friend Sir John Pennington, Knight, Ad-

From this it is clear (for no one had ſuch ſources of information as Nicholas) that, notwithſtanding the execution of Strafford and Digby's diſqualification for office, the King had ſtill a purpoſe of his own in keeping open the negotiation for receiving into his counſels the men who had ſtruck ſo heavily againſt his dead miniſter and his living friend. The letter of Nicholas is dated on the 15th of July, and until the cloſe of that month, indeed as long as the King remained in London, the beſt informed of Charles's own officers of ſtate continued to expect the change. In leſs than a fortnight Nicholas wrote again as if all doubts and diſputes as to the particular diſtribution of offices had been ſettled. Lord Mandeville and Hampden had in the interval withdrawn their claims to the principal Secretaryſhip of State in favour of Denzil Hollis, while Hampden was to take the Chancellorſhip of the Duchy, Lord Saye and Seale to be Lord Treaſurer, and the Chancellorſhip of the Exchequer to be, as in all the previous propoſed arrangements, committed to Pym. Nor is it Nicholas alone who thus, up to the 29th July, believes that

Negotiations with popular leaders kept open.

Diſtribution of offices ſettled, 29th July, 1641.

" miral of His Maties Fleete imployed for garde of the Narrow " Seas, aborde His Maties ship the St. André, nowe riding in " the Downes or thereaboutes. Leave this with the Poſt of " Sandwich to be conveyed." The exiſtence of this letter was known to Lady Thereſa Lewis. See her very intereſting book in illuſtration of the portraits in the Clarendon Gallery, *Lives of the Friends and Contemporaries of Lord Chancellor Clarendon*, ii. 442. to Pennington.

Preparation for the new miniſtry.

theſe men are about to aſſume the great offices of ſtate. Even the ſmaller clerks and ſecretaries ſerving under him are making preparations againſt the expected loſs of their employments; and Mr. Sidney Bere writes to tell Admiral Pennington, on the very eve of the King's departure to Scotland, that he hopes he has made proviſion againſt the worſt.*

Making proviſion for the worſt.

Sidney Bere to Admiral Pennington, 30th July, 1641.

* I ſubjoin ſome curious paſſages from this letter, which is alſo in the State Paper Office (MS. Sidney Bere to Admiral Pennington, 30th July, 1641, Whitehall). Bere's employment at this earlier time was in connection with the Foreign Office, to which he had been recommended by a previous engagement as Secretary with Sir Balthazar Gerbier. "I muſt needs," he writes to the Admiral, "take ye occaſion of this encloſed "wch was left att my chamber, to tell you, that the noiſe of "remove of officers increaſes ſtill, and ſome thinke wee ſhall not "eſcape wth leſs than the loſſe of Secretarys, wch I begin to "feare much by many ſignes. One, & truly a noble one, is this, "that Mr. Trea^r^ aſked me this day how farre my graunt was "advanced, I told him ready for the Kinge's hand tomorrow; "he bid me to haſten it all I could, for a reaſon he knew, w^ch^ "you may easily gueſſe carryes noe good interpretation. I "am glad Mr. Murray is ingaged, who, ſhould any ſuch thinge "happen ſoe ſuddenly, will w^th^out doubt make good what "he hath undertaken, & I am confident both he and Mr. "Trea^r^ will recommend me to y^e^ ſucceſſor. But for all theſe "doubts and ſurmiſes we prepare ſtill for ye Scotch journey, "& horſes goe before on Monday. Wee follow on Friday "nexte, and ye King on ye 9th which is Munday. The Par-"liam^t^ its said will move for a longer ſtay, but the King is "reſolved. A whiſper goes the Houſes will ſtand for a Lo. "Lieut. in his abſence w^h^ power to paſſe bills: what that "propoſition will produce in his reſolution to graunt or deny, "goe or ſtay, we ſhall ſhortly ſee: but every one is full of "expectations what every grand councill ſhould produce in "the change of officers. Come the worſt, if this graunt "paſſe, I have ſomething to truſt to ag^t^ I am old, and till then, "I hope w^h^ God's bleſſing, the countenance of my friends, "& my own induſtry, to paſſe well enogh. I have not ſoe "ill ſpent this time, but I have purſed up for a yeare's ſub-"ſiſtence and more, in wch time many changes will happen. "Thus I take all att the worſt on the firſt alarum, but I hope

Notice to quit Whitehall.

Propoſed Viceroy during the King's abſence.

Conſolations of a retiring official.

Yet ſo ſtrange does it ſeem that purpoſes involving a complete change in the greateſt employments of the State ſhould have been entertained up to the very eve of the King's departure for Scotland, that they then ſhould ſuddenly and ſilently have been dropped, and that the King's letters to Nicholas from Edinburgh ſhould as ſuddenly be filled with covert threats againſt the men choſen ſo recently for the higheſt dignities he had it in his power to beſtow, that credit may hardly be claimed for ſuch a ſtatement without production of the actual evidence. The ſecond letter of Nicholas, alſo in the State Paper Office, begins with acknowledgment of a welcome preſent of four Guinea-birds, which the Admiral had ſent for Mrs. Nicholas, "whereby you have made "her a proude woman, and ſhe deſires me to "preſent to you her affectionate thankes for "that great raritie." He then deſcribes the appointment of Lord Eſſex to be General of the Forces on this ſide Trent; ſpeaks of Lord Pembroke as bearing the loſs of his employment with much patience and diſcretion; and makes frank alluſion to the eccle-

A ſequel almoſt too ſtrange for belief.

Preſent from the Admiral.

Nicholas to Pennington, 29 July, 1641.

"there is noe cauſe, but that we ſhall rubb out yett this Sum-"mer at the leaſt." It is very remarkable to obſerve from this letter that at no time do the popular leaders, even when their immediate induction into the great offices was looked upon as certain, appear to have taken the preſſure of Parliament from off the King. The propoſal of a Viceroy or Regent was ſingularly diſtaſteful to him, and the diſpute as to the proper time of his quitting London was vehemently maintained even to within a few hours of his departure. See my *Eſſays*, i. 13.

ſiaſtical reforms in progreſs, and the abuſes they are levelled at. " The acte againſt Bish^pps, " Deanes, & Chappters, is not as yett paſt the " Comons Houſe of P^t, and I hope never will: " for iff it ſhall, my father and myſelfe ſhall " by the change of our Landlordes loſe 1500*l.* " in the value of our eſtates. But I hope the " Parl^t will not holde it wiſe to puniſhe the " Tenants for ye Landlord's faulttes. The " Comons are much troubled that the Kinge " will goe on Monday come ſennight (as hee " has declared openlie) towards Scotland. " They have had a conference with ye Lords " ab^t preſenting to his Maj^ty ſome reaſons ag^t " his Maj^ty's goinge untill the armie be diſ- " banded, w^ch, if there were money readie, " woulde not bee this fortnight. It is heere " ſaid that wee ſhall ſhortly before the Kinge's " departure have a greate change & addition " of officers ab^t Co^te, as that the Ld Saye " ſhall be made Ld Treas^r, the Ld Newburg " Maſter of the Wardes, Mr. Jo. Hampden " Ch^r of ye Dutchy, Mr. Pym Cha^r of the " Excheq^r, Mr. Denzill Hollis Principall Secr^y " of State; and that ye Earl of Bath and L^d " Brooke ſhall be ſworne of his Ma^sty moſt " hon^ble Privy Counſell."* He adds ſome

Why Nicholas objects to Eccleſiaſtical Reform.

King's propoſed journey to Scotland:

Objected to by the Commons.

The new miniſtry expected: Hampden, Pym, Hollis, and Lord Saye and Seale.

* This letter (alſo in the State Paper Office, and dated 29th July, 1641) is addreſſed like the former, with this addition: " Leave this with the foote poſt of Sand^wch in " Philpot Lane att y^e ſigne of ye Sand^wch Armes to be " conveyed."

particulars as to the army plot, the examinations as to which were then in proceſs of being taken; and he cloſes by ſaying that he propoſes himſelf, God willing, to retire on the next following Saturday to his houſe in the country, to live quietly there if he can; and that howſóever the world goes, the Admiral ſhall be ſure always to find that he is ſtill conſtantly and firmly his faithful and affectionate friend.

Nicholas about to retire:

But of courſe Nicholas did *not* retire into the country, nor did the parliamentary leaders make their entrance into Whitehall. Not leſs myſterious in its origin and fate than the later attempt to obtain Pym's ſolitary ſervice, it ſeems impoſſible to review the circumſtances attending this earlier effort to place both him and his friends in power, without arriving at the only ſolution which either ſeems capable of receiving. Neither, it muſt have been ſuſpected or diſcovered, was really or ſincerely intended by the perſon who alone could give effect to it. Both were wrecked by the utter diſtruſt and diſbelief which the King in all his dealings had inſpired. In making again the overture ſingly to Pym, there can be little queſtion that Charles had the idea in his mind, as already hinted, that by ſome artifice or trick, ſome juggling and playing with the cards, Epiſcopacy, even in its laſt extremity of danger, was to be reſcued ſtill by bringing over the only popular leader not committed to

But does not retire.

Why both attempts to conciliate popular leaders failed.

The rock they ſplit againſt.

A warning for Pym to act upon:

root and branch. But the fate of the earlier negotiation, which I have thus been able to retrace, opened alſo, as the later had been, at the very moment when Lord Digby had been ſingled out for royal favour, was doubtleſs the ſufficient warning on which Pym wiſely acted. We need not look for his motives further a-field. The calm refuſal with which the proffered place was put aſide, and the dignified ſilence preſerved in relation to it, may thus alike receive their ſatiſfactory ſolution.

The warning taken.

§ VI. The Westminster Tumults.

Publication of the Grand Remonſtrance.

On the third day after the Grand Remonſtrance, printed by order of the Houſe, had begun to circulate among the people, the obſervance of a day of Faſt and Humiliation had been appointed. The circumſtance is referred to by the Under-Secretary, with whoſe letter, already quoted in the preceding ſection, as with a ſimilar communication from Captain Carterett, there alſo went to the Admiral a copy of the publiſhed Remonſtrance. "The Remonſtrance is "likewiſe come out," he writes, "which I now "ſend herewith, and leave unto your readinge to "judge of it. This is all I can ſay more for "the preſent ſave that yeſterday the faſt was "obſerved through London and the Court, "and is to-day in Weſtminſter. Indeed, there "needs ſome extraordinary devotion to divert "the many troubles and diſtractions this State

A Faſt Day, 22nd Dec. 1641:

" is threatened withal, wch if God doe not of " his mercy turne awaye, it's much to be feared " will very ſhortly fall upon us: Soe that I " cannot wonder to reade yor compaſſionate " ſenſe thereof, but doe joyne wth you that it's " a time wherein he that hath leaſte to doe " may thinke himſelf the happieſt."* The King, as we have ſeen, had celebrated the faſt at Court by ſigning on that day, the 22nd December, the warrant for appointment of the diſſolute Lunſford to one of the places of greateſt truſt in his dominions. We have ſeen alſo the tumult it provoked in the Houſe of Commons, and this had now reacted on the people out of doors. It was the time of Chriſtmas holidays, when unuſual numbers were in London, daily thronging the ſtreets; and ſuch and ſo alarming were the manifeſtations of popular diſcontent, that within three days after the letters juſt quoted we find another of Pennington's correſpondents, and a high civil functionary, writing to him in a ſtrain that might well ſhake the nerves of the gallant ſeaman far more than thoſe terrible gales then ſweeping the coaſt during which his ſhips had well-nigh foundered in the Downs. " But though," writes Mr. Thomas Smith, a man highly eſteemed and holding important office in the Admiralty, to his loving

How the King celebrated it.

Diſcontented holiday crowds.

* MS. State Paper Office. Sidney Bere to Pennington, 23rd Dec.

Sea and land ſtorms.

and much honored friend, " the ſtormes are " eſcaped at ſea, they are not ſo on ſhoare. " For here we have ſuch jealouſies, and diſ- " contents are dayly rayſed by the malignant " party between the King and his people, that " there talks now of nothing but drawing of

A religious war talked of.

" ſwords and a war between the Proteſtants " and Papiſts. W^ch^ God forbid! for though " we may know the beginning, noe man can " the end and conſequences of an inteſtine " warre." *

Lunſford's appointment cancelled.

On the evening of the day when that letter was written, the King found it abſolutely neceſſary (upon a repreſentation perſonally made to him the previous night at Whitehall by the Lord Mayor, a member of his own party) to cancel Lunſford's appointment; but ſwiftly as the ill-adviſed act was ſo recalled, it was

Too late.

yet recalled too late. It was too late to prevent the tumults and diſturbances of that and the following day. In thoſe tumults, duly recorded, but not fairly or juſtly diſcriminated,

Memorable epithets firſt invented.

in the hiſtories, were firſt heard the memorable epithets of Roundhead and Cavalier: two words deſtined to become as famous as thoſe other two of Whig and Tory, which, invented ſeven-and-thirty years later, uſed alſo as terms of reproach,† and bandied about from ſide to

* MS. State Paper Office. Thomas Smith to Pennington, 23rd Dec.

† That the word *Cavalier*, not neceſſarily a term of re-

ſide, like theſe, amid tumultuous aſſemblages of Engliſh citizens,* became in like manner

proach (Shakeſpeare certainly does not ſo employ it when he ſpeaks of the gay and gallant Engliſh eager for French invaſion— Cavalier: origin and meaning of the word:

> For who is he . . . that will not follow
> Theſe cull'd and choice-drawn Cavaliers to France?)

was unqueſtionably uſed in that ſenſe on the occaſion of theſe tumults (probably to connect its French origin with the un-Engliſh character of the defenders of the Queen and her French papiſt adherents to whom it was chiefly applied), appears from the fact that it is bandied about in declarations alternately iſſued on the eve of the war by the Parliament and the King, the latter ſpeaking of it more than once as a word much in diſfavour. And, after the ſtandard on either ſide was unfurled, nay, when the battle of Edgehill had been fought, Charles elaborately accuſes his antagoniſts, "preteriders to peace "and charity" he calls them, of a hateful attempt "to render "all perſons of honour, courage, and reputation, odious to "the common people under the ſtyle of Cavaliers, inſomuch "as the highways and villages have not been ſafe for gentle-"men to paſs through without violence or affront." Even in the very earlieſt popular ſongs on the King's ſide the word has not the place it afterwards aſſumed, and one meets with Royaliſt poets of a comparatively ſober vein The King complains of its uſe.

> "Who neither love for faſhion nor for fear,
> As far from Roundhead as from Cavalier."

D'Ewes's earlieſt uſes of the word in his MS. Journal I find under dates of Monday 10th January and Friday March 4th, 1641-2, and Friday 3rd June 1642. In the firſt he is ſpeaking of parties who had been ſeen ſuſpiciouſly entering the Tower; in the ſecond, of the Cavaliers at Whitehall who wounded the Citizens; and in the laſt, of the King's party in Yorkſhire. Of the word Roundhead, on the other hand, and the mixed fear and hatred it repreſented and provoked, decidedly the moſt characteriſtic example is furniſhed by the ever quaint and entertaining Biſhop Hacket, who (*Scrinia Reſerata*, ii. 207) tells a ſtory of a certain worthy and honeſt Vicar of Hampſhire who always (in ſuch manner as to evade the notice of one ſection of his hearers while he ſecretly pleaſed the other) changed one word in the laſt verſe of the Te Deum—O Lord in thee have I truſted, *let me never be a Round-head!* Round-head.

* See my *Hiſt. & Biog. Eſſays* ii. 6 (under Eſſay on De Foe).

the indelible diſtinction of the two great parties. First blood ſhed in the Civil War. in Engliſh hiſtory.* The firſt blood ſhed in the great civil war had flowed on that 27th of December, ſeveral citizens having been wounded and Sir Richard Wiſeman ſlain.

* There is a curious and characteriſtic paſſage by William Lilly (*Monarchy or no Monarchy in England*, part ii. ed. 1651), referring to theſe tumults, of which he was himſelf an eye-witneſs, and deſerving more attention than it has received. He is ſpeaking of the King: "Fearing the worſt, as himſelf "pretended (from the tumultuous aſſemblages of Citizens), he "had a Court of Guard, before Whitehall, of the Train "Bands; he had alſo many diſſolute gentlemen, and ſome "very civil, that kept within Whitehall with their ſwords by "their ſides, to be ready upon any ſudden occaſion. Verily "men's fears now began to be great; and it was by many "perceived, that the King began to ſwell with anger againſt "the proceedings of Parliament, and to intend a war againſt "them: ſome ſpeeches dropt from him to that purpoſe. It "happened one day, as ſome of the ruder ſort of Citizens "came by Whitehall, one buſy Citizen muſt needs cry 'No "Biſhops.' Some of the gentlemen iſſued out of Whitehall, "either to correct the ſaucineſs of the fool in words, if they "would ſerve; elſe, it ſeems, with blows. What paſſed on "either ſide in words, none but themſelves knew. The "Citizen, being more tongue than ſoldier, was wounded, and "I have heard, died of his wounds received at that time. It "hath been affirmed by very many, that in, or hearunto, that "place where this fellow was hurt and wounded, the late King's "head was cut-off, the Scaffold ſtanding juſt over that place. "Theſe people, or Citizens, who uſed thus to flock unto "Weſtminſter, were, moſt of them, men of mean, or a middle "quality . . . and yet moſt of them were either ſuch as had "public ſpirits, or lived a more religious life than the vulgar, "and were uſually called Puritans, and had ſuffered under the "tyranny of the Biſhops. In the general they were very "honeſt men and well meaning: ſome particular fools, or "others, perhaps, now and then, got in amongſt them, greatly "to the diſadvantage of the more ſober. They were modeſt "in their apparel, but not in their language; they had the "hair of their heads very few of them longer than their ears; "whereupon it came to paſs that thoſe who uſually with their "cries attended at Weſtminſter, were by a nick name called "Round-heads. The Courtiers again, having long hair and "locks, and always ſwordes, at laſt were called by theſe men

William Lilly's evidence.

The King's ſecret revealed.

A belief or ſuperſtition.

Character of Puritans.

The Lords had at firſt declined to join the Commons in petitioning for Lunſford's removal, and it was the excitement conſequent upon this refuſal, firſt known by the publiſhed proteſt of twenty-two peers headed by names in ſuch popular eſteem as thoſe of Bedford, Northumberland, Pembroke, and Eſſex, which led to the aſſemblages that met ſuddenly together, in large numbers certainly but unprovided with arms, in Weſtminſter Hall and outſide the door of the Houſe of Lords.* It has been, notwithſtanding an admiſſion to the contrary

Cauſe of ſudden aſſemblages in Weſtminſter Hall.

" Cavaliers; and ſo &c. &c. few of the vulgar knowing the
" ſenſe of the word Cavalier. To ſpeak freely and ingenuouſly,
" what I then obſerved of the City Tumults was this: Firſt,
" the ſufferings of the Citizens who were anything well
" devoted, had, during all this King's reign, been ſuch and ſo
" great (being harrowed or abuſed, continually, either by the
" High Commiſſion Court or the Star Chamber), that, as men
" in whoſe breaſts the ſpirit of Liberty had ſome place, they
" were even glad to vent out their ſighs and ſufferings in this
" rather tumultuous than civil manner: being aſſured that if
" ever this parliament had been diſſolved, they muſt have been
" racked, whipt, and ſtript by the... Clergy, and other extrava-
" gant courſes: and for any amendment which they might
" expect from the King, they too well knew his temper; that
" though in a time of parliament he often promiſed to
" redreſs any grievances, yet the beſt friend he hath cannot
" produce any one act of good for his ſubjects done by him
" in the vacancy of a parliament. The loſers uſually have
" leave to ſpeak, and ſo had the Citizens. All this Xmas
" 1641, there was nothing but private whiſperings in Court,
" and ſecret counſels held by the Queen and her party, with
" whom the King ſate in council very late many nights.
" What was the particular reſult of theſe clandeſtine conſulta-
" tions, it will preſently appear." In theſe laſt few words he alludes of courſe to the impending attempt to arreſt the members.

What Lilly obſerved of the tumults.

A Parliament the People's only hope.

Secret counſels.

* " The tumults," ſays Nalſon, the moſt unſcrupulous of Royaliſt partizans, " began upon this little claſh of the two
" Houſes, the Lords refuſing to join with the Commons to
" petition out Lunſford."—*Collections*, ii. 781.

Party ſtatements.

to be quoted ſhortly even from Clarendon himſelf,* uniformly aſſerted by Royaliſt writers ſince, and with ſuch confident pertinacity that leſs partial writers have been overborne by it, that theſe gatherings of the people were accompanied by violence, that the Citizens were the aggreſſors, and that ſwords were drawn at laſt on the other ſide only in ſelf-defence. The point is an important one to place beyond further queſtion, becauſe here, and not in any diſpute as to whom the powers of the militia ſhould reſide with, really began the Civil War. Elaborately to argue upon this or that claim of right, whether to the militia or to any other power of the State, in the poſition to which the incidents now under diſcuſſion were about ſwiftly to bring the oppoſing parties, is to be at infinite pains to throw words into the air. Both King and Parliament were ſoon to aſcertain that peace was no longer poſſible; and it was but the prelude of fence to the ſharper conflict, the underſtood pauſe for collection of ſtrength on either ſide, when the war of words about the militia began. In the chapter of hiſtory I have here undertaken to rewrite lies the true ſettlement of the doubt as to who began the Civil War; and in theſe Weſtminſter tumults, which were the prologue of the tragedy, it will not be difficult to ſhow, on the unqueſtion-

Who were the firſt aggreſſors.

True beginning of the Civil War:

* *Hiſt.* ii. 92.

able evidence now to be produced, not merely that the bloodſhed was excluſively the act of the King's friends and dependants, and that the natural alarm it created was made the excuſe for other and more deliberately planned violence againſt the people, but that all this was unavoidably a portion of that deſign againſt the Parliament for which the time had prematurely been ſuppoſed to be ripe, and which had for its firſt and immediate object the deſtruction of the leaders of the Houſe of Commons.

in the attempt to deſtroy the Parliamentary leaders.

§ VII. Citizens and Soldiers in the Hall.

The old year had now only five days to run, and was faſt departing amid incidents that only too fitly uſhered in its dark and gloomy ſucceſſor. On this eve of the firſt year of the Great Civil War, the phyſical and the moral atmoſphere alike ſeemed charged with ſtorm. So ſevere a ſeaſon had not been known for many winters;* and while each day, and hour

Monday, 27th Dec. 1641.

Severity of the winter.

* It extended to Paris, from which city Windebank, writing to his ſon in London on the $\frac{10\text{th Jan.}}{31\text{st Dec.}}$ 1641-2, ſpeaks of the extraordinary ſtorms that were prevalent, and of "the very "fierce froſt methinks much exceeding thoſe in England." I am tempted to add a further portion of the letter, which is every way characteriſtic of the weak and poor-ſpirited writer, to whom a leading ſhare in the government of England had been unreſervedly committed in the moſt difficult and dangerous criſis of her ſtory. He is telling his ſon of his intenſe wiſh to return to England. "Wherein, methinks, I sh[d] not "longer be impedimented now that I am out of danger to

Fierce froſt in Paris.

of the day, brought its grief or terror to unprejudiced watchers of events, it was in the midſt of a tempeſt that ſwept the Engliſh coaſt with almoſt unparalleled violence that the Admiral in the Downs continued to receive the letters which happily have preſerved for us, in fair and unexaggerated language, an impartial teſtimony of eye-witneſſes to events very memorable in our hiſtory.

Tempeſt at ſea.

Mr. Thos. Smith to Pennington, 30th Dec.

"Concerning the ſtate of our affaires here," wrote Mr. Thomas Smith, already named as a friend of Sir John Pennington, and who held confidential office under the Earl of Northumberland, with whom he had rooms at York Houſe, "they are not ſoe well as I could wiſh, for wee "are in dayly fears of uproares and diſord^rs. "The 'Prentices and our Souldiers have lately "had ſome bickerings wherein many of the "'prentices were wounded, and loſt their hats "and cloakes. This was don yeſterday at "Whitehall Gate, as the 'prentices were coming "from demanding an anſwer of their petition "lately exhibited to the Parliam^t houſe. The "ſould^rs continue in greate numbers in White-

At Whitehall Gate, 29th Dec.

Windebank to his ſon.

"retourne any more to buſineſſe. This I deſire you to sollicit "& purſue wth all earneſtneſs if yo ſhall find it ſafe to ſtir in "it, that I may ſee myne own dear country, & poor neſt "again, and ſom ende of my wanderinges and greate ſuffer- "ings, wch if the world did rightly conſider, I am confident "they wold be ſenſible of my condition, & the moſt rigorous "& hard-harted wold thinke I have been abundantly puniſhed "already for anything that I have donne. But God's will be "donne, and whatſoever you ſhall negotiate herein muſt be "with entire & all humble ſubmiſſion to His Ma^tr."

" hall. Theſe woundes of the 'prentices have
" ſoe exaſperated them, that it is feared they Exaſperation of the people.
" will be at Whitehall this day to the number
" of ten thouſand ; whereupon the ſouldiers
" have increaſed their number, built up a
" Court of Guard w^th^out the Gate, and have
" called down the millitary company to their
" aſſiſtance: and what will be the event, God
" knows. Neither do the Houſes and King
" agree ſo well as I could wiſhe. The Jeſuiti-
" call Faction, according to their wounted A Jeſuitical Faction ſtrong in the Houſe.
" cuſtome, fomenting ſtill jealouſies between
" the King and his people, and the Biſhops
" continually concurring with the Popiſh Lords
" againſt the paſſing any good bills ſent from
" the Houſe of Commons thither." *

Under Secretary Sidney Bere, alſo writing The Under Secretary to the Admiral, 30th Dec. on the ſame day (the 30th of December) to his friend commanding in the narrow ſeas, is more ſpecific as to the cauſes of the prevailing excitement: " Since the Hol-
" lidays began," he writes, " here have
" been ſuch rude aſſemblies and multitudes
" of the baſer ſort of people, that everyday
" threatened a deſperate confuſion. Nor are Confuſion and fears.
" we yet free of thoſe feares. The firſt pre-
" tended cauſe of this was the making of
" Collonel Lunſford Lieut^t^ of the Tower.
" Which begat ſoe generall a murmure and

* MS. State Paper Office. Smith to Admiral Pennington, 30 Dec. 1641. And, under ſame date, the letter which follows: Bere to Pennington.

" diſcontent that his Matie was pleaſed to
" remove him after two or three dayes poſ-
" ſeſſion and to putt Sir John Biron in his
Lunſford knighted and penſioned upon his removal. " place; having made the other a knight and
" as I am told given him 500lb. a year pen-
" ſion.* But the people, not being as it
" ſeemes ſufficiently perſwaded of this remove,
" on Monday [the 27th] continuing their
" inſolencies, and meeting this Lunſford at
" Weſtminſter, they fell to blowes, in wch diſ-
Blood ſhed 27th Dec. " order divers were lightly hurt, but without
" further danger; and one of their chiefe
" leaders there was Sr Richard Wiſeman, who
" was alſoe hurt. In fine theſe diſtempers
" have ſoe increaſed by ſuch little ſkir-
" miſhes, that now the traynebands" [of Middleſex] " keepe watch everywhere: all the
Courtiers ordered to be armed. " courtiers commanded to weare ſwords: and
" a Corps-de-Gard Houſe built up within the
" railes by Whitehall. All which fills every one
" wth feares and apprehenſions of greater evils."

Such fears and apprehenſions might well exiſt, but from which quarter came the graver threatenings of ſtorm? On one ſide were
Share in the tumults citizens and apprentices, at firſt altogether unarmed, irritating doubtleſs as all crowds are,

The penſion and knighthood to Lunſford. * This fact is now for the firſt time known. Of its correctneſs there can hardly be a doubt, for no man was in ſo good a poſition for obtaining reliable information as the Under Secretary. The ſame fact is moreover confirmed and repeated in a letter, alſo in the State Paper Office, dated the 29th Dec. 1641, from Capt. Carterett to Admiral Pennington.

but wreaking no miſchief worſe than a crumpled cloak or band, a torn gown, an impertinent word, or an inconvenient huſtling and preſſure. taken by Citizens and Apprentices. An eyewitneſs of the aſſault on the Archbiſhop of York, referred to always as the incident moſt provocative of what followed, has deſcribed it for us. "I was witneſs," ſays Mr. Bramſton,* the ſon of the Chief Juſtice of the Queen's Bench, and at this time an intimate aſſociate of Mr. Hyde, "to a lane "made in both the Palace Yards, and no man "could paſs but whom the rabble gave leave "to, crying *A Good Lord!* or *A Good Man! "Let him paſs!* I did ſee the Biſhop of "Lincoln's gown† torne as he paſſed from the "ſtair-head into the entry that leads to the "Lords' Houſe." What Mr. Bramſton ſaw, 27th Dec. And as Mr. Bramſton ſaw we may ſtill for ourſelves ſee, vividly enough, thoſe troubleſome citizen-quidnuncs, thoſe idle varlet-apprentices, and with the help of what the Under Secretary tells us, can imagine the reception they were likely to give to Lunſford, inſolent with favors ſo heaped upon him even in that hour of his diſmiſſal, as to afford but a new and exaſperating inſtance of a popular conceſſion haughtily unmade in the very act of making it. Provocation to the people. But, ſuch being on one ſide the

* In his *Autobiography*, publiſhed by the Camden Society, p. 82.

† Williams, Biſhop of Lincoln, had ſo recently become Archbiſhop of York that Bramſton calls him by his more familiar title.

caſe, bad and vexatious enough, what preſents itſelf to us on the other? A ſet of fierce ſoldier adventurers, not only men of completely deſperate fortune, but all of them under the ban of the majority of the Houſe of Commons, yet offered and accepted with their riotous and reckleſs followers as a Court of Guard to their ſovereign, entertained and feaſted at the very gate of his palace, and enliſted under a condition of ſervice which even Clarendon thought "unſeaſonable," ſeeing that it began not in any needful defence of the King, but in a needleſs ſhedding of the blood of his ſubjects.

The ſoldier aſſailants.

Volunteer Guard to the King:

It would not be eaſy to ſelect a paſſage more characteriſtic of the hiſtorian than that in which he ſpeaks of this Whitehall Guard, and of the diſaſtrous ſervice in which they were employed. He cannot deny that their entertainment by Charles was an act of groſs indiſcretion, and he is obliged to confeſs that they firſt drew their ſwords upon the people. But the form in which he gives utterance to ſuch all-important admiſſions againſt the party for whom he holds his brief, is the moſt ſingular manifeſtation conceivable of the degree to which a partizan writer may permit himſelf to become unconſcious of the plain effect and meaning of the language he employs. He begins by ſaying* that all the while the King had been at Whitehall, beſides his ordinary

Clarendon's opinion of them.

* *Hiſt.* ii. 92, 94.

retinue, and menial ſervants, he had kept in cloſe attendance upon him a conſiderable number of officers of the late diſbanded army, who were ſoliciting their remainder of pay from the two Houſes which was ſecured to them by Act of Parliament, and were expecting ſome farther employment in the war with Ireland; and that theſe not very ſcrupulous gentlemen, upon obſervation and view of what he calls the inſolence of the tumults, and the danger that they might poſſibly bring to the Court, offered themſelves for a Guard to his Majeſty's perſon, and were with more formality and ceremony entertained by him, than, upon a juſt computation of all diſtempers, was by many conceived ſeaſonable. And then he goes on to ſay that "from theſe officers,— "warm with indignation at the inſolences of "that vile rabble which every day paſſed by "the Court,—there proceeded, firſt, words of "great contempt, and then, thoſe words com- "monly finding a return of equal ſcorn, blows "were faſtened upon ſome of the moſt prag- "matical of the crew." In plain language, the provocation both of words and blows came firſt from the Whitehall deſperadoes. Their advocate continues: "This was looked "upon by the Houſe of Commons like a "levying of war by the King, and much "pity expreſſed by them that the poor people "ſhould be ſo uſed who came to them with

Component elements of the Guard:

The King's unſeaſonable acceptance of their ſervice:

Citizens inſulted and aſſailed by them.

"petitions"— to go to the Houſe of Commons with petitions was in reality the tumult and inſolence complained of—"for ſome few of "them had received ſome cuts and flaſhes that "had drawn blood; and that made a great "argument for reinforcing their numbers. "And from theſe conteſtations the two terms of "Roundhead and Cavalier grew to be received "in diſcourſe, and were afterwards continued "for the moſt ſuccinct diſtinction of affections "throughout the quarrel: they who were "looked upon as ſervants to the King being "thus called Cavaliers, and the others of the "rabble contemned and deſpiſed under the "name of Roundheads."

Cuts and flaſhes drawing blood.

To put all this into plain ſpeech is to ſay that, at a time when above all others it behoved the King to be wary of unduly exciting jealouſies and ſuſpicions, he accepted from a band of reckleſs and deſperate ſoldiers of fortune a proffered perſonal devotion which was to diſplay itſelf in the moſt active hate of a particular ſection of his people. Nor was it dry acceptance only, but eager encouragement, that Charles extended to them. While theſe men ſo inſulted the Citizens, upon whom they faſtened blows, and upon whom they drew their ſwords, they were the gueſts of the King in his own palace, entertained and fed at his expenſe. And whether thoſe of the aſſailed were few or many, who, in the nicely-

Plain meanings to Clarendon's ſpeech.

Eager encouragement to attack on Citizens.

choſen phraſe of Hyde, "received ſome cuts "and ſlaſhes that had drawn blood," neither exaggerates nor diminiſhes the crime. The fact undeniably remains, as admitted by Clarendon, and (in a paſſage which will ſhortly be quoted) confirmed by Ruſhworth; and to it is to be added the further not leſs ſignificant circumſtance, that when that famous Declaration of both Houſes was preſented to the King at Newmarket in the early days of March, to which, as Lord Holland read it, Charles ſpared no epithet of anger or ſcorn (*that's falſe! that's a lye!* broke from him at its ſeveral averments), he heard in ſilence thoſe portions of it which charged him with having enliſted in an unuſual manner, and put into regular pay under the command of colonels, this Whitehall Guard; with having feaſted and carouſed them at the palace in a manner altogether unaccuſtomed; with having endeavoured to engage the gentlemen of the Inns of Court to co-operate with them; and with having for his manifeſt deſign in all this, "a "perpetual guard" ſuch as the laws did not warrant.* In his own formal anſwer, indeed, publiſhed on the 9th March, he ſubſtantially admits the allegations made. "Why the liſting," he ſays, "of ſo many officers, and entertaining "them at Whitehall, ſhould be miſconſtrued, "we much marvel, when it is notoriouſly

Abettors of the outrage.

Deſign in encouraging the Whitehall deſperadoes:

To draw together a ſtanding Guard.

* *Ruſhworth*, III. vol. i. 529.

"known the tumults at Weſtminſter were "ſo great, and their demeanour ſo ſcan- "dalous and ſeditious, that we had good cauſe "to ſuppoſe our own perſon, and thoſe of our "wife and children, to be in apparent danger; "and therefore we had great reaſon to appoint "a Guard about us, and to accept the dutiful "tender of the ſervices of any of our loving "ſubjects."*

Admiſſions by the King: 9th March, 1642.

Let me upon this ſubject add to the evidence already quoted, that of another witneſs equally above ſuſpicion; whoſe diſcontent at this time with the Houſe of Commons † would have ill diſpoſed him to ſympathy with any but its moſt bitter aſſailants; and who diſtinctly tells us, not merely that Lunſford and his friends, with drawn ſwords, charged upon the Citizens and "chaſed" them round the Hall, but that ſmall parties of ſome fifteen or ſixteen officers of the army had fallen upon crowds of unoffending civilians, and left forty or fifty of them wounded.

Witneſſes above ſuſpicion.

* *Ruſhworth*, III. vol. i. 536, 537.

† On the 25th Nov. 1641, Captain Slingſby had thus written (MS. State Paper Office): "On Saturday morning laſt I "brought the Happie Entrance to the Spitthead, where, having "a pilott aboard, but the wind ſtill Northerly that ſhe was not "like ſuddenly to gett into the harbour, I came away to "London. She is preſently to be made ready again to go "for Ireland, Captain Owen in her: ſome of the Parliament "as I hear having made ſome ſcruples concerning my fitneſſe "for that imployment, in reſpect of my brother's neare relation "to my Lord of Strafford: yett I find no alteration in my "Lord's [Northumberland] countenance towards me, as he "ſayth it will not prejudice me for other employments."

Slingſby's ſhip at Spithead, 25th Nov.

His brother's connection with Strafford.

A mad Christmas.

"I cannot say," writes Slingsby, already described as the brother of Strafford's Secretary,* "we have had a merry Christmas, "but the maddest one that ever I saw. The "prentices and baser sort of citizens, saylors, "and water men, in greate numbers everie day "at Westminster, armed with swords, † halberds, clubbs, wch hath made the King keep "a stronge Guard about Whitehall, of the "Trayned Bands without, and of gentlemen "and officers of the army within. The King "had upon Christmas Eve putt Coll. Lunsford "in to be Lieutenant of the Tower, wch was "so much resented by the Comons and by the "Cittie, that the Sunday after he displaced "him again, and putt in Sir John Biron, who "is little better accepted than the other. "Lunsford being on Monday last in the Hall, "with about a dozen other gentlemen, he was "affronted by some of the citizens whereof the "hall was full; and so they drew their swords, "chasing the citizens about the Hall, and so "made their way through them wch were in "ye Pallace Yard and in Kinges Street, till "they came to Whitehall. The Archbishop "of Yorke was beaten by the 'prentices the

Excuses for the Whitehall Guard.

Unpopularity of Sir John Biron.

Citizens chased about the Hall by armed soldiers.

* MS. State Paper Office. "R^t^ Slyngsbie to the hon^ble^ Sir "John Pennington Knt. Admirall of his Maties Fleete for "guard of the narrow seas:" 30th Dec. 1641.

† This is a mere careless assertion, as is proved by the passages immediately following it, which show that the Citizens could not have been armed.

"ſame day, as he was going into the Parlia-
"ment. The next day they aſſaulted the
"Abbey to pull down the organs and the altar"
(there had been recent order for peculiar
ceremonies and obſervances at the altar), "but
Affray in the Abbey, Dec. 28th. "it was defended by the Archbiſhop of Yorke
"his ſervants, with ſome other gentlemen that
"came to them: divers of the citizens hurtt
"but not killed: amongſt them that were
"hurtt, one knight, Sir Richard Wiſeman,
"who is their cheife leader. Yeſterday about
"fifteen or ſixteen officers of the army ſtand-
Unprovoked outrage by the ſoldiers, 29th Dec. "ing at the court gate, took a ſlight occaſion
"to fall upon them, and hurt about forty or
"fifty of them: they in all their ſkirmiſhes
"have avoided thruſting, becauſe they would
"not kill them. I never ſaw the Court ſo full
"of gentlemen. Every one comes thither with
Gentlemen armed crowding the court. 500 volunteer Lawyers: 30th Dec. "their ſwordes. This day 500 gentlemen of
"the Innes of Court, came to offer their ſer-
"vices to the King. The officers of the army
"ſince theſe tumults have watcht and kept a
"Court of Guard in the Preſence Chamber, and
"are entertained upon the King's charge. A
"company of ſoldiers are put into the Abbey
"for defence of it. The Houſe of Commons
"have drawn up a charge, and ſent it up againſt
"my Lord of Briſtol: the ſame that he was
Charge againſt Lord Briſtol. "long ſince accuſed of and acquitted by the
"firſt Parliament of the King."

It has been ſeen, as deſcribed by an actual

eye-witneſs, what was the nature of the ſo-called "beating" of the Archbiſhop of York referred to in this letter; and it is hardly neceſſary to direct attention to the fact that all the real hurts deſcribed in the various accounts are excluſively thoſe inflicted on, and in no ſingle inſtance by, civilians. No mention occurs anywhere of a wound, however ſlight, inflicted by an apprentice or citizen. But we get ſome clue to the means uſed to irritate the mob into violence, by what was complained of in the Houſe of Commons on the morning after the Archbiſhop's gown was ſo rudely handled in Weſtminſter Hall. Going from the Houſe to his lodging, an Honorable Member, "as he paſſed thro' the "churchyard, found there a guard of ſoldiers; "and inquiring of them by whoſe command "they were there, they anſwered by the Arch- "biſhop of Yorke's:" whereupon, after ſharp diſcuſſion, the Houſe generally declared it to be a grave miſdemeanor that guards ſhould ſo be ſet about without due authority, to the terror and affright of the people.* Certainly a torn

No blood ſhed by the Citizens.

A fighting Archbiſhop.

* Nalſon's *Collections* ii. 793. I add a remarkable paſſage from D'Ewes MS. Journal of little more than a fortnight's later date, which may help to ſhow that the incidents now under notice, and the principal actors in them, had a cloſe and ominous connection with the attempt ſo ſoon to be made by the king. "Mr. Miles Corbet made a relation touching one "Mr. Pemberton, who was examined when the Committee "ſat in Guildhall, before Mr. Edward Wright an Alderman "of London, and was ſent by him to one of the Counters: "that he had confeſſed that he was one of them that had "come hither with the king on Tueſday, Jan. 4, and that he "commanded 40 men at the Abbey of Weſtminſter that

Entry from D'Ewes's Journal.

Incitements to violence.

gown hardly juſtified preparations ſo formidable, and the reader may perhaps ſee in the incident a ſufficing explanation for what Captain Slingſby deſcribes as occurring on "the next day."

In brief, each hour now brought its alarm, and ſigns and portents of approaching calamity were everywhere abroad. The cloſe of Captain Slingſby's letter leaves us no room to doubt the definite and dangerous impreſſion already produced upon himſelf. "The cittizens," he ſays, "for the moſt part ſhutt up their ſhoppes, and "all gentlemen provide themſelves with armes "as in time of open hoſtillities. Both factions "talke very bigge, and itt is a wonder there is "noe more blood yett ſpilt, ſeeing how earneſt "both ſides are. There is no doubt but if "the King doe not comply with the Comons "in all thinges they deſire, a ſudden civill "warr muſt enſue; wch everie day we ſee "approaches ſooner." Dangerous in its growth ſuch a belief as this could not fail to be. It narrowed the grounds of agreement left, ſhut out all hope in which ultimate ſafety lay, and brought nearer the dreaded calamity by making the mere thought of it more familiar. If ſuch men as Slingſby reaſoned that civil war was unavoidable, it was but natural that the reckleſs men of his party ſhould act

Shops cloſed, and all men arming.

Dangerous beliefs.

"evening when Sir Richard Wiſeman was hurt [to death]." —*Harl. MSS.* 16, f. 331 a, 336 a.

as if civil war were come. It is at leaſt certain that in ſuch a ſtate of feeling and apprehenſion, ſo widely ſpread, a terrible reſponſibility attended any act which ſhould carry with it a ſudden and violent increaſe of the prevailing excitements; nor, were its conſequences ever ſo appalling, might its author with any juſtice claim exemption from the charge of having deliberately intended to produce them.

A terrible reſponſibility.

§ VIII. What was passing in the House.

Resorting, for information of what was meanwhile paſſing in the Houſe, to the manuſcript Journal of D'Ewes,* we find the details of Captain Slingſby's letter in all reſpects confirmed. On the firſt day of the tumults, D'Ewes makes a brief and hurried note of what was paſſing in the Houſe; and the abrupt, unfiniſhed ſentence, more ſtrikingly than any elaborate detail, depicts the prevailing agitation. The ſitting was only prolonged to receive evidence that "the quarrel in Weſtminſter "Hall began from ſome ſoldiers or gentlemen

First day of the Tumults, 27th Dec.

* Brit. Mus. *Harleian MSS.* 162-166. This moſt curious and valuable record, as I have ſtated in a former work, is contained in five ſeveral volumes, to which correct reference is often extremely difficult; the ſame period occupying more than one volume, and it being frequently neceſſary to examine all the volumes in ſearching for the completed record of one particular debate. The ſtate of the writing, too, with its blotted and often hopeleſſly involved interlineations, interpoſes frequent obſtruction. My references have, however, been made with much care; and, where not minutely exact, will always be found within one or two folios of the preciſe place ſought.

State of D'Ewes's Journal in the Harleian MSS.

"who firſt offered violence to the citizens,"* and that Colonel Lunſford was one of thoſe whoſe ſwords had flaſhed in the faces of unarmed men. Next day, however, Tueſday the 28th December, the day following that on which Lunſford had ſo led the aſſault on the crowd in Weſtminſter Hall, D'Ewes was again at his poſt, and found Cromwell ſpeaking on Lord Newport's diſmiſſal from the conſtableſhip of the Tower.

Second day of the Tumults, 28th Dec.

Lord Newport's diſmiſſal debated.

The honorable member for Cambridge ſeldom failed to give a practical bearing and purpoſe to any debate he engaged in, and now he was employing the Newport affair to bring the Houſe back to conſideration of the point, not whether ſuch idle words as the King imputed had been ſpoken,† but whether treaſonable advice had at any time been given, and by whom, for bringing up the army to overawe the deliberations of that Houſe. Cromwell, as we have ſeen Captain Slingſby inform his Admiral, diſtinctly pointed to my Lord of Briſtol, Lord Digby's father; and, reviving an old to couple with it a new charge, arraigned him not merely as having notoriouſly counſelled the Sovereign in former years, for worldly and prudential reaſons, to become Roman Catholic,‡ but as having, in regard to

Oliver Cromwell ſpeaking:

* *Harleian MSS.* 162, f. 287 b.

† See ante, p. 38.

‡ When they were together in Spain, upon that mad freak of the Spaniſh Match which carried with it ſeveral very grave con-

the matter of bringing up the Northern force, diſtinctly adviſed his Majeſty, in language confeſſed by himſelf, to "put the army in a "poſture." Fit, then, ſaid Cromwell, that this Houſe deſire the Lords to join with us in moving his Majeſty that ſuch a perſon as this Earl of Briſtol be removed from his councils. For what room was there to doubt that a more than ordinary meaning lay beneath the words ſo uſed? The due poſture of the army at that time, added Cromwell, with the homely force and vigour that characteriſed all his ſpeeches, was *the poſture of lying ſtill*, and that poſture the ſaid army was already in.* Denzil Hollis followed up this attack on Lord Briſtol by ſome telling blows againſt his ſon, Lord Digby, who had declared only the previous day, in a ſpeech which Hollis juſtly characteriſed as the moſt dangerous and pernicious that could be ſpoken by a ſubject, that this was not a free Parliament.†

Denounces the Earl of Briſtol.

Denzil Hollis attacks Lord Digby.

And here let me interpoſe, that though the accuſed members always maintained that the King acted on other than a ſingle perſon's advice in his great outrage againſt them, it is hardly neceſſary alſo to ſay that they needed nothing to aſſure them of Lord Digby's thorough complicity. It may be well to premiſe,

Lord Digby's complicity with attempts of 3rd and 4th Jan.

ſequences. Perhaps the beſt account of it can be gathered from Howell's *Letters*.

* *Harleian MSS.* 162, f. 288 a.

† *Ib.* f. 291 a, b.

No acquittal of Lord Digby intended.

however, that in whatever is further to be ſaid having a tendency to involve others, no acquittal of Lord Digby is intended. His ſhare was open and avowed, at any rate after the event; and when on the 19th February 1641-2, the Houſe (overruling a recommendation from the committee to whom the matter had been referred, and of which Sir John Evelyn was chairman, for a bill of attainder) reſolved to impeach him, one of the reſolutions on which they proceeded was "That hee was an "adviſer of the articles ag^t the five members, "and of the King's coming to the Houſe of "Commons."* Other notices and indications of the ſuſpicion in which both Digby and his father were juſtly held will hereafter appear alſo in many private letters.

Reſolution on his impeachment.

A conſiderable pauſe enſued in the Houſe after Cromwell had ſpoken, and in the courſe of his entry in this day's Journal, D'Ewes has thrice to remark that there followed "a long ſilence." The ſhadow of events of which no man could forecaſt the courſe or ſee the end, had by this time fallen upon the moſt voluble debaters; and only the few reſolute men who held together and led the majority, proof alike againſt the temptations of the Court and the impatience of the People, kept their courage and reſolves unſhaken.

Long ſilences in the Houſe:

Tueſday 28th.

The next day paſſed more quietly. For

* Verney's *Notes*, 157.

though a groſs outrage was ſuddenly committed by a party of ſoldiers upon a number of citizens paſſing Whitehall after having carried up a petition to the Houſe of Commons,* means had been taken by the popular leaders to prevent the recurrence of the crowds of the two previous days; and the only threatening appearances in the ſtreets were from ſlowly increaſing groups of diſſolute armed men, ſilently gathering to the new Guard at Whitehall. Still the greateſt fears and doubts prevailed, and while Cromwell was addreſſing the Houſe upon the neceſſity of having the army, eſpecially in Ireland, officered by men in whom the people's repreſentatives had confidence, a man named Rowley was brought to the bar to give evidence of certain matters by which a worthy member had been not a little alarmed. "Depoſed by Rowley," ſays D'Ewes, "that he "heard a French papiſt ſay to another in "Cheapſide on Monday laſt that he under-"ſtood there were hurly-burleys at Weſt-"minſter, and that if there ſhould fall out any "hurly-burleys here, there ſhould ſoon come "fifteen thouſand French out of France upon "our backs."† The Houſe took no action upon

Wedneſday the 29th Dec.

Cromwell as to officering of the army.

Threats of French interference to put down Engliſh liberties

* *Ante*, 68 and 78.

† D'Ewes MS. Journal: Wedneſday, 29 December, 1641. The Member for Cambridge complained loudly on this occaſion that no place had yet been found among the Iriſh Military appointments for Captain Owen O'Connel.

this, any more than upon a report ſubſequently brought in by Sir Arthur Haſelrig to the effect that a French prieſt had ſaid he hoped ere long to ſee half-a-dozen parliament men hanged. It is nevertheleſs not undeſerving of remark, that it was mainly from French perſons that every aſcertained or diſtinct warning was obtained, before the event, of the outrage about to be committed. Madame de Motteville, and the people about the Queen, undoubtedly knew it; the French ambaſſador, Montreuil, took credit to himſelf afterwards for having ſecretly ſent notice to the leaders of the House; it was from a French officer, on the day of the attempt, that the intelligence was obtained which certainly prevented bloodſhed; it was, as we ſhall find ſtated by D'Ewes, from a "noble perſon who wiſhes well to this "nation"* (in other words moſt probably Montreuil, whose credit, hitherto impugned, the remark may re-eſtabliſh), that the French officer in queſtion, Captain Langres, was enabled to do that ſervice; and, the ſame authority will tell us, it was by a member of the King's new guard, a Frenchman named Fleury, that Captain Langres was informed, three weeks before the more ſpecial warning on which he acted, that great troubles were hatching.

Inſolence of a French prieſt.

Court ſecrets known to the French.

French information.

From one of our own countrymen, indeed,

* *Harleian MSS.* 162 f. 310 b.

an Engliſhman ſtill famous for his imagination and wit, a warning reached Lord Kimbolton the day before the arreſt: when Marſton the dramatiſt, then laid by the heels in the Gate-Houſe, had written to him of a danger to himſelf and the Parliament which it concerned him at once to know; which admitted of no delay, inaſmuch as no one could tell how ſoon it might be too late; and which, not more for his own than the Parliament's ſake, he was on nó account to ſlight, as thinking it of mean conſequence.* But, of all the debtors' priſons,

Warning from a priſoner in the Gate-Houſe.

* I ſubjoin this letter, found by Mr. Cunningham among other papers of the time at Kimbolton Caſtle, and firſt printed by Mr. Collier in his edition of Shakeſpeare (1858, i. 179). It is undated, but that "this preſent Monday" was Monday the 3rd January 1641-2, is rendered in my judgment abſolutely certain by the circumſtances. Whether, indeed, the writer was the poet Marſton I was diſpoſed to doubt until I was favored with a communication from Mr. Beedham of Kimbolton, to whom my beſt thanks are due. "To the "Right Honorable the Lord Kimbolton theſe. My Lord,— "Though my owne miſeries preſs me hard to ſollicite your "Honours Compaſſion, yet that you may be aſſured how much "I am vnſeduc't from my former temper, I ſhall now diſ- "ſerue my ſelfe (though my condicō̄ be very calamitous) "to ſerue your Honour, and ye Parliam^t^, in a matter of no "meane concernm^t^: The errand I ſend this paper on to your "Lord^ip^ is to offer to your Honour a diſcovery of no meane "conſequence, wch I beſeech your Honor not to ſlight before "you know it; for when you do, I am ſure you will not: for "to wch purpoſe I humbly beg that your Honor will ſend "ſom ſuch truſty and rationall meſſinger to me, whoſe "relacō̄ to your Honour may be heere vnknowne, and y^t^ "the ſame meſſinger may bring me ſom aſſurance y^t^ I ſhall "be concealed in ye buſineſs: My Lord, I hope you will not "delay, for I cannot tell how ſoone, it may be to late: For "ye future I beſeech your Honor to eſteeme me a moſt fayth- "full ſeruant to your Honor and ye Parliam^t^, from wch nothing "ſhall euer diſſoblige Your moſt humble ſeruant, JOHN "MARSTON.—From the Gate-Howſe this preſent Monday." John Marſton to Lord Kimbolton: Has a diſcovery to make, important to his Lordſhip and to Parliament.

Priſon for Jeſuits and recuſants.

the Gate-Houſe was that to which all men under remand or examination from the Council-table, and eminently all Jeſuit prieſts and recuſants, were inceſſantly committed; and that Marſton had derived his information from ſome one connected with the French fathers and confeſſors about the Queen, I entertain no doubt whatever. Other circumſtances render it as little doubtful that the contemplated impeachment had been ſecretly talked about for ſome days, and that hints and cautions had been permitted to eſcape. It will ſhortly be ſeen what good grounds D'Ewes gives us for believing, that Pym himſelf knew at leaſt enough of the intention to hazard the impeachment to put him warily on his guard as againſt a particular impending danger, at leaſt four days before the attempt of which it has been the cuſtom of all hiſtorians to write as having entered into the mind of the King only the moment before its execution.*

The danger known to Pym.

§ IX. The Bishops sent to the Tower.

Thurſday 30th Dec.

Thursday, the 30th December, was now

* See alſo my *Hiſt. and Biog. Eſſays*, i. 135, *note*, for ſingular intimations, in the reaſons preſented to the Lords for the claim of the Houſes to be guarded by the trainbands they had ſelected, that Pym knew the poſſible danger they had moſt cauſe to dread. He there ſpeaks of the "ſurprizing of the "perſons of divers members of the Scottiſh parliam^t;" ſays that whiſperings had gone abroad of "the like being intended "ag^t divers perſons of both Houſes here;" and broadly ſtates in his concluſion that there was "juſt cauſe to apprehend ſome "wicked and miſchievous practice ſtill in hand to interrupt "the peaceable proceedings of this parliament."

Attack on Parliament expected, 30th Nov. 1641.

come, and hardly had the Lower Houſe aſſembled, when an urgent meſſage from the Lords, touching matters of dangerous conſequence, called them to conference. The Biſhops in a body had ſent to the Lords, through the King, that ill-adviſed Proteſtation which was the fruitful ſource of ſo much ſubſequent miſchief, ſtating that ſuch had been the tumults in Weſtminſter for the laſt three days, and ſo obſtructed and menaced had they been in the attempt to take their ſeats,* that they did not

Meſſage from the Lords.

Proteſtation of the Biſhops.

* I have already quoted the account of the aſſault on the Archbiſhop given by the ſon of the Chief Juſtice of the Queen's Bench, a great friend of Mr. Hyde's, who ſaw Williams's gown torn, and was witneſs to all that led to what Clarendon deſcribes as the irrepreſſible rage, and the ill-adviſed proteſtation, of the too fiery Archbiſhop. Hyde himſelf alſo relates the incident (*Hiſt.* ii. 113), declaring in his exaggerated way that Williams's "robes" were "torn "from his back;" with the addition, which his friend Bramſton carefully avoids making, and for which there is no proof, that the Biſhop's "perſon was aſſaulted." I muſt add the account of the ſame diſturbances from another eye-witneſs, Williams's quaint and admiring biographer, Hacket (*Scrinia Reſerata*, ed. 1693, part ii. 177-179), who attended Williams at the time, and who, notwithſtanding all his fanciful ſuperfluity of phraſe, rather confirms Bramſton than Hyde: "There had been an unruly "and obſtreperous concourſe of the people in the Earl of "Strafford's caſe; but a ſedition broke forth about Xmas "that was ten times more mad .... The King came to "the Houſe of Commons, to demand five of their members "to juſtice, upon impeachment of treaſon. His Majeſty, it "ſeems, was too forward to threaten ſuch perſons with the "ſword of juſtice, when he wanted the buckler of ſafety ... "I am ſure the King ſuffered extremely for their ſakes: all "ſectaries and deſperate varlets in city and ſuburbs flocked by "thouſands to the Parliament .... Let the five members "be as honeſt as they would make them, I am certain "theſe were traitors that begirt the King's Houſe where his "perſon was, with hoſtility by land and water ... every "day making battery on all the Biſhops as they came to "Parliament, forcing their coaches back, tearing their gar-

What the mob did to Archbiſhop Williams.

Evidence of Bramſton, Hyde, and Hacket.

They retire from the Houſe: mean again to ſit or vote until effectually ſecured by his Majeſty from the repetition

" ments, menacing if they came any more." (Given with all the intercalated quotations and illuſtrations of the original, the foregoing paſſage would have filled ſeveral pages). It is now many years ſince I called attention to Hacket's work, in the hope that it might find ſome learned ſociety not indiſpoſed to give a modern and acceſſible form to ſo genuine a Curioſity of Literature. It may be doubted if the language contains ſuch another product of a buſy, garrulous, fertile, fanciful, not very uſeful, but prodigiouſly ſtored memory and brain. Every folio page of it (and it contains nearly 600 of the cloſeſt print) briſtles with Greek and Latin quotations, applied with a rich and ready reſource that is fairly aſtoniſhing. It is nothing to ſay that Seneca could not be too heavy nor Plautus too light for him, for he has all the claſſics from Homer downwards at his fingers' ends; and it is really little ſhort of appalling to obſerve to what a ſmall practical uſe it is poſſible to turn ſuch a vaſt amount of the kind of learning ſtill prized in our ſchools and colleges as beyond every other in importance. Witty conceits and well-choſen poetry; admiring excerpts out of Chaucer, Spenſer, and Ben Jonſon; metaphors and figures out of all departments of knowledge; apophthegms of the ſtudy and the field; quips of the nurſery; and the blackeſt-lettered lore of the Fathers of the Church; are heaped up in extravagant profuſion. Too learned Hacket! When he wrote this book (he finiſhed it in 1657, though it was not publiſhed till 1693), it behoved him to keep wary watch over his public ſayings in his Rectory of Cheam; and his *Scrinia Reſerata* was the only eſcape he had for all that accumulated maſs of uſeleſs knowledge. Cromwell was then our Engliſh Sovereign, "jetting" up and down, as Hacket phraſes it, in all his glory, and nobody had courage enough to "ſtrike him to the heart " and expire upon the murderer." Nay, there was one man who had what he terms the incredible effrontery to defend and champion the murderer, and, "petty ſchool-boy ſcribbler" as he was, to engage in controverſy with—" O what a miracle " of judgment and learning!—Salmaſius!" Yes, even with the "matchleſs Salmaſius, with the prince of the learned men " of his age," did "ſo baſe an adverſary—O horrid!"—dare to meaſure himſelf, as that "blackmouth'd Zoilus" Milton! "Get thee behind me, Milton," exclaims Hacket, foaming over at the very mention of the name. He is "that ſerpent " Milton:" he is "a Shimei," "a dead dog," "a canker-" worm;" his ſpirit is "venomous" and his breath that of a " viper." This, to be ſure, was while Europe rang from ſide to ſide with the *Letter to Salmaſius*, and ten years before

Hacket's *Scrinia Reſerata* deſcribed.

Uſeleſs knowledge.

Written during the Protectorate.

Attack on Milton:

of ſuch affronts, indignities, and dangers: wherefore did they then and therein proteſt againſt all laws, orders, votes, reſolutions, and determinations, as in themſelves null and of no effect, "which in their abſence, ſince the "27th of this inſtant month of December 1641, "have already paſſed; as likewiſe againſt all "ſuch as ſhall hereafter paſs during the time "of their forced and violent abſence." The deſign of this daring act, and the object of Archbiſhop Williams, its real author, have been remarked upon by the preſent writer in a

and Proteſt againſt proceedings in their abſence.

the publication of *Paradiſe Loſt*, which Hacket (who died Biſhop of Lichfield and Coventry) ſurvived three years; but it ſeems probable, by the alluſion to petty ſchoolboy ſcribbling, that he at leaſt knew of the *Minor* and *Juvenile Poems*, though I think it more than probable, if he had read them, that even the controverſy with Salmaſius would hardly have thrown him into ſuch tranſports of unmitigated abuſe. For Hacket really appears to have had ſome judgment in poetry. He knew nothing about Shakeſpeare, but neither did anybody elſe, though the four greateſt works of human genius, Hamlet, Lear, Macbeth, and Othello, had all been written within the century, and Hacket had himſelf arrived at man's eſtate before the Tempeſt was played, and the wand of the magician broken. Still, he carefully avoids the admiration, then ſo common, of the ſecond rate fantaſtical ſchool; and he declares Ben Jonſon, whom he calls "our laureat poet," and "our "maſter poet," to be "the beſt of our poets of this century." Chaucer with him is "noble Chaucer;" and little ſhort of the rapturous are his alluſions to "our divine poet Mr. "Spenſer," to "our arch poet Spenſer," to "our moſt "laureat poet Spenſer," to "Mr. Spenſer's divine wit," and to "Mr. Spenſer's moral poem," on which he largely draws for illuſtrations and compariſons. One rather grieves to think that even if Mr. B. Simmons ſhould happen to have ſent to the good old Biſhop in 1667 the new epic poem he had publiſhed, he is leſs likely to have read beyond the author's name on the title page than to have thereupon inſtantly thruſt it aſide with another "Get thee behind me, Milton!"

A ſchoolboy ſcribbler!

Shakeſpeare not known.

Praiſe of Jonſon, Chaucer, and Spenſer.

Effect of Proteſt.

former work.* Its immediate effect was thoroughly to excite both Houſes into at once diſabling its abettors from ſuch power of further miſchief as, if the Proteſt had been admitted, or even paſſed in mere ſilence and contempt, they might thereafter have exerted fatally. Carry ſuch a proteſt but into its next ſtage, and what was known to be the moſt cheriſhed hope of the King, that he might be able one day to revoke, on the ground that Parliament had not been free, all the popular conceſſions of the paſt momentous year, was open to him at any time as not diſtant or impoſſible.

An opportunity deſired by the King.

Whatever the view taken of the nature or extent of the tumults, no contemporary witneſs has ventured to ſtate that they were ſuch as to provoke an act like this. The gatherings in the Hall, and at the entrance to the Houſe of Lords, were limited to the Monday and Tueſday, the 27th and 28th; and while the tumults of thoſe days were at their height, we have evidence of what was ſuffered by the chief complainant himſelf, the author of the Proteſtation, from the only perſon who ſays expreſſly that what he ſets down he ſaw. Archbiſhop Williams had his gown torn as he paſſed into the Houſe. But beyond that inſult, witneſſed by Mr. Bramſton, there is no

"Mobs" for two days only.

The amount of provocation given.

* *Hiſt. and Biog. Eſſays*, i. 262, 268: "The Civil Wars and Cromwell."

evidence of any kind on record of a ſpecial hurt or injury received by any of them. The utmoſt that is alleged by the only member of the Epiſcopal party who has himſelf deſcribed the occurrences, is that the rabble came by thouſands to the Houſe, filled the outer rooms, and abuſed them as they paſſed in, crying, *No Biſhops! no Biſhops!* * On the other hand there ſeems to me ſufficient teſtimony that pains had been taken, by members of their own Houſe, to put the Biſhops generally into that ſort of needleſs fright which might induce them readily to fall in with ſuch a Proteſtation. One of the moſt famous among them, the pious and learned Hall, Biſhop of Norwich and author of the *Satires*, has informed us † that as they were all ſitting together in the afternoon of the 28th, it grew to be torchlight, and Lord Hertford, who had lately received his marquiſate and other ſpecial favors from the King, went up to the form on which they ſat, told them they were in great danger, and adviſed them to take ſome courſe for their own ſafety. "What is it?" they cried. "What ſhould we do?" Whereupon the Marquis (with difficulty holding his countenance, it may be imagined, while he did ſo) counſelled them to continue in the Parliament Houſe *all that night*. "Becauſe

What the Biſhop of Norwich ſaw and heard.

Fright given in the Houſe itſelf.

Some Lords adviſing:

* Hall's *Works*, i. xliv.

† In his Hard Meaſure: *Works*, i. xlv. ed. Oxford, 1837.

Lord Hertford alarms the Biſhops:

" (ſaith he) theſe people vow they will watch " you at your going out, and will ſearch " every coach for you with torches, ſo as you " cannot eſcape." At this ſome of them roſe, and earneſtly deſired of their Lordſhips that for the preſent (" for all the danger," interpoſes the Biſhop, " was at the riſing of the " Houſe") ſome care might be taken for their ſafety. Then proceeds Biſhop Hall very innocently: " *The motion was received* " *by ſome Lords with a ſmile:* and ſome other " Lords, as the Earl of Mancheſter, undertook " the protection of the Archbiſhop of York " and his company (whoſe ſhelter I went " under) to their lodgings." At the ſame time the good Biſhop frankly adds that thoſe who cared to ſtay long enough, got ſafely home without help of any kind.

Other Lords ſmiling.

What paſſed at Williams's lodgings.

In Williams's lodgings, doubtleſs, the Proteſtation was that night mooted; and thither next day, at the invitation of Williams,* repaired no leſs than ten other right reverend Lords. " Where," ſays Clarendon, " imme- " diately having pen and ink ready," the paper was drawn up, ſigned by all preſent, and addreſſed to the King for preſentation to the Lords; and away with it went Williams next morning to Whitehall. There, by an accident which Clarendon calls " unfortunate," not only the King, but his Lord Keeper, at the very

" Unfortunate " accident.

* Clarendon, *Hiſt.* ii. 113; Biſhop Hall, *Works*, i. xlvi.

moment "happened" to be; and Charles no ſooner received the Proteſt, than, "caſting his "eye perfunctorily upon it," he gave it to Littleton, and, one hour later, the aſſembled Lords were with much amazement liſtening to it.* In this there may have been nothing but an "accident," as Clarendon alleges; although, from the firſt note of alarm given by Lord Hertford, it looks, all of it, extremely like a ſettled and planned deſign.

Charles and his Lord-Keeper at Whitehall.

Accident or deſign?

But the hands that aimed were leſs ſtrong than thoſe that received the blow, and the recoil was inſtant and fatal. In "half-an-"hour"† from the time when the Commons were informed of the outrage propoſed to be committed on the liberties of Parliament, the impeachment was ſent up againſt its authors. Biſhop Hall ſays that though they had ſigned the Proteſt, they intended ſtill to have had ſome further conſultation about it; when, before they had time even to ſuppoſe that it could have paſſed out of Williams's hands, they were all kneeling as accuſed traitors at the Bar of the Lords. Cromwell had been active in this prompt retribution; and long years afterwards, when addreſſing the laſt Parliament of his Protectorate, he exulted in the part he

A ſurpriſe for the Biſhops.

What Cromwell thought of the Proteſtation.

* *Hiſt.* ii. 114. Hall's account ſlightly differs in ſtating that though they all heard the Proteſt read at Williams's lodgings, it was afterwards ſent for their ſignatures to their own ſeveral places of abode.—*Works*, i. xlvi.

† *Hiſt.* ii. 118.

had ſo taken againſt men who would needs have it that no laws made in *their* abſence ſhould be good, and ſo, without injury to others, cut themſelves off! Men, purſued Cromwell, in his rough grand way, that were truly of an Epiſcopal ſpirit; men indeed that knew not God; that knew not how to account upon the works of God, how to meaſure them out; but would trouble nations for an intereſt that was but mixed at the beſt, iron and clay like the feet of Nebuchadnezzar's image! *

The Biſhops characterized by Cromwell.

Nor in this did Protector Oliver go beyond what undoubtedly had been the feeling at the time. So generally adverſe did opinion run againſt the ill-adviſed act, that even Clarendon cannot find it in his heart to ſpare any expreſſion of contempt for the ſillineſs and folly of ſo many Biſhops, during a ſtorm which had carried

General feeling at the time.

* This is not the place for any detailed ſtatement of the caſe againſt the Biſhops, which was a very ſtrong one; or of the cauſes, which were many and great, that had led to their extraordinary unpopularity at this time. Suffice it to ſay that they had themſelves mainly to thank for it, and that the tumults of which they now complained were but what their own friends, arguing from the violence and paſſion diſplayed by them, had expected and predicted in the preceding ſummer. On the 17th June 1641, Sidney Bere had thus written to Pennington (MS. St. P. O.): "Fears & ſuſpitions amongſt us are ſoe great that I feare nothing leſſe than that we ſhall yett fall into a confuſion, wch God forbid. The buſineſs of the Biſhopps wilbe of dangerous conſequence, they being violent and paſſionate in their owne defence, & having ingaged (as it were) the Lords by their late votes in their favo^r^, to the maintenance of their cauſe, whereas the Commons ſeeme as reſolute to paſſe the bill for their utter extirpation, and ſoe tranſmitt it to the Lords according to ye cuſtome, & then it may juſtly be feared the Citty will prove as turbulent as they were on Strafford's cauſe."

Caſe againſt the Biſhops.

Themſelves to thank for their unpopularity.

Their violence and paſſion, 17th June 1641.

A true prediction.

away card and compaſs, and ſent the beſt pilot to his prayers, ſevering from the good ſhip and truſting themſelves to ſuch a cockboat as Williams! But, quite as ſtrongly as his diſlike of the miſchievous Proteſtation, the danger and ſcandal of which he cannot pretend to conceal, his objection to the puniſhment that ſo promptly followed it is put prominently forward; and he affects to think that poſterity will hold it for incredible that Parliament ſhould ſo have outraged public decency, as to affix to ſuch an offence as a ſimple proteſt a penalty ſo outrageouſly diſproportioned as that of treaſon. But as uſual this is a groſs miſrepreſentation of the facts, as well as of the ſentiments of the time, even as they are yet diſcoverable among thoſe leaſt friendly to the two Houſes; and the entire untruſtworthineſs of the author of ſuch ſtatements is never fully manifeſt, until we are able to place them ſide by ſide with contemporary notices of the ſame occurrences, ſet down with no other object than upon the inſtant to reflect and convey, without concealment of the paſſions or bias of each writer, the living opinions and emotions of the hour.

Clarendon's opinion as to Impeachment.

Contemporary accounts.

Captain Slingſby does not affect to be any great politician, but even as he haſtily wrote to Pennington, in the afternoon of the very day of this memorable incident, he makes its gravity and danger very conſpicuous through his few confuſed ſentences deſcribing it. "This

Slingſby to Pennington, 30th Dec.

" day," he writes, " the Biſhopps have made a " Proteſtation againſt the proceedings of this " Parliament, declaring it no free parliament. " This makes a great ſtirre here. The favourers " of them thinke it don to ſoone. The other " ſide do ſeeme now to rejoyce that it is don, " having thereby excluded themſelves from " it." * He means that the act was at once ſeen to exclude its authors from ever reſuming their ſeats in Parliament, which, indeed, was all the Commons had in view in bringing againſt them a charge of treaſon; and that even thoſe friends of the King who were favourable to ſo bold an aſſault on the very exiſtence of the Parliament, felt that it had been done prematurely. In the ſame ſpirit, on the ſame day, writes Under Secretary Bere: " This day there hath been great debatinge " in ye houſes, and is ſtill, but I cannot ſtay " ſoe long to heare the iſſue, leaſte I looſe the " comodity of this ordinary. Only thus much " is even now brought for newes—that the " Biſhopps having proteſted againſt all the " Acts made this Parliament againſt them, " twelve of them are now committed, and " two̅ others ſent for whereof York is one. " But the particulars hereof I will not aſſeure, " being but even now brought unto me; but " ſomething there is wch by my next you ſhall

His opinion of the Proteſtation:

Even Biſhops' friends adverſe to it.

Under Secretary Bere to Pennington, 30th Dec.

Committal of the Biſhops.

* MS. State Paper Office. Slingſby to Pennington, 30th Dec.

" have more particularly: onlie thus much to " Our de-
" lett you ſee into what a deplorable condition plorable condi-
" we are falling. I pray God bleſſe his Matie tion."
" in his royall perſon and councills, that wee
" may once ſee a peaceable and quiett time
" againe. I wiſh you, Sr, a happy new yeare,
" and I pray God the great tempeſts have left Prays that
" you in health and ſaftie." * To which may the great tempeſts
be added the ſtill ſtronger teſtimony of a third have left
correſpondent, equally anxious to keep the the Ad-miral ſafe.
Admiral, amid thoſe tempeſts at ſea, quickly and
ſurely informed of the worſe ſtorm raging on
the land. " The laſt plott of the Biſhopps," Mr.
writes Mr. Thomas Smith to " his very Thomas Smith to
" lovinge friend," on the afternoon of the day Penning-ton,
when the Proteſt was made, " hath beene their 30th Dec.
" indeavour to make this Parliam^t no parlia-
" ment, and ſo to overthrowe all actes paſt, and
" to cauſe a diſſolution of it for the preſent: wch Endea-vour of
" hath been ſo ſtrongly followed by ye Popiſh Biſhops to
" party, that it was ſaine to be putt to the undo what the Long
" vote, and the proteſting lords carryed itt to Parlia-ment had
" bee a free and perfect Parliam^t as ever any done, and
" was before. This did ſoe gawle the Biſhopps compel a diſſolu-
" that they made their Proteſtacon ag^t the tion.

* MS. State Paper Office. Sidney Bere to Admiral Great
Pennington, 30th Dec. 1641. An illuſtration occurs in the ſtorms
ſame letter of the violence of the ſtorms then raging on the raging on
coaſt. " The Poſt of Sandwich tells me that ye laſt weeke the coaſt.
" when he came awaye, your boats could not come aſhoare."
" We heare," writes Slingſby, in a letter of an earlier date,
" of the diſaſter lately hapened to the Roebucke: and have
" been very ſenſible of the extreame tempeſtuous weather you
" have had ſo long together."

"freedom of ye vote and ye Parliam^t^, and in "their Proteſtacon have inſerted ſuch ſpeeches Williams compared to Achitophel. "as have brought y^m^ w^th^in ye compaſſe of "treaſon, and thus the Counsell of Acittaphill "is turn'd into fooliſhneſſe. The Earl of Complicity of Lords Briſtol and Digby. "Briſtoll and his ſonne have been cheife "concurrents with them, in this and other "evill councells, for which they have been "impeacht and branded in ye Houſe of "Comons." *

The writer of that letter, as already ſtated, was high in the employment and confidence of Lord Northumberland, and his account, haſty and confuſed as it is, expreſſes more accurately Real drift of the Proteſt. than any other not only the real drift of the Proteſt to effect for the King an "overthrow "of all acts paſt," and render unavoidable a diſſolution, but the prompt proceeding by which, under the lead of the Earl, a majority in the Houſe of Lords at once met and baffled the intrigue of Archbiſhop Williams. For once, indeed, as ſoon as the firſt diviſion had been taken, the Lords acted quite as eagerly as the Commons, and quite as eagerly and promptly as the King in ſending up the Prompt action of the Lords. teſtation. Within half an hour after it was preſented, it was voted a breach of the fun-

* MS. State Paper Office. Mr. Thomas Smith, from York Houſe (the Admiralty), to "His very loving Friend Sir John "Pennington, knt. Admiral of His Maties Fleete at Sea on "Board His Maties Ship the Lyon at the Downes." 30 Dec. 1641.

damental privileges and being of Parliaments; upon the inſtant, after conference between the Houſes,* Glyn was ſent up from the Commons to impeach the Biſhops for an endeavour to ſubvert the very exiſtence of Parliaments, and therein the fundamental laws of the realm; and by eight o'clock that winter night, ten out of the twelve were committed to the Tower,† and the other two, by reaſon of their great age ("and indeed of the worthy "parts of one of them, the learned Biſhop of

A conference.

30th Dec. 8 o'clock p.m. ten Biſhops ſent to the Tower.

* See *Commons Journals*, ii. 362, 363.

† "In all the extremity of froſt," ſays Biſhop Hall (*Works*, i. xlv.), "at eight o'clock in the dark evening, we were voted to "the Tower." And liſten to the good indignant Hacket. (*Scrinia Reſerata*, ii. 179): "Hear and admire, ye Ages to come, what "became of this Proteſtation, drawn up by as many Biſhops as "have often made a whole provincial council. They were all "called by the temporal Lords to the bar, and from the bar "ſent away to the Tower. Nonne fuit ſatius triſtes formidinis "iras, Atque ſuperba pati faſtidia? A rude world when it "was ſafer to do a wrong than to complain of it. The people "commit the treſpaſs, and the ſufferers are puniſh'd for their "fault. Ἂν μάγειρος ἁμαρτάνοι, αὐλήτης παρ' ἡμῖν τύπτεται. "*Athen.* lib. 9. A proverb agreeing to the drunken feaſts of "the Greeks: If the cook dreſs the meat ill, the minſtrils "are beaten. That day it broke forth, that the largeſt part "of the Lords were fermentated with an anti-epiſcopal "ſourneſs. If they had loved that order, they would never "have doomed them to a priſon, and late at night, in bitter "froſt and ſnow, upon no other charge, but that they "preſented their mind in a moſt humble paper to go abroad "in ſafety. Ubi amor condimentum inerit quidvis placiturum "ſpero, Plaut. *in Caſin.* Love hath a moſt gentle hand, "when it comes to touch where it loves. Here was no ſign "of any filial reſpect to their ſpiritual fathers. Nothing was "offer'd to the peers, but the ſubſtance was reaſon, the ſtyle "lowly, the practice ancient; yet upon their pleaſure, without "debate of the cauſe, the Biſhops are pack'd away the ſame "night to keep their Chriſtmas in durance and ſorrow: And "when this was blown abroad, O how the Trunck-men of "the Uproar did fleer, and make merry with it!"

Hacket's Lament for the Biſhops.

No love of Biſhops among the Lords.

142236 Ba. ~~24.236~~

"Durham,") to the cuſtody of the Black Rod.*

Laud and Williams within the ſame walls at laſt.

And ſo that bitter night of froſt and ſnow, the 30th December 1641, ſaw the two Archbiſhops, York and Canterbury, whoſe unſeemly perſonal conflicts had been the ſcandal of the town for years, lodged at laſt together within the ſame priſon walls. Heretofore it had ſeemed impoſſible but that the downfal of the one muſt involve the well-doing of the other. During Laud's long aſcendancy, and under his inceſſant perſecution, Williams had been an inmate ſucceſſively of the Gatehouſe, the Fleet, and the Tower; nor could the doors of the grim ſtate fortreſs be ſaid to have fairly opened for him until they had cloſed upon Laud himſelf. But now, after brief exulting triumph over his ancient adverſary, thoſe gates are open for him again; and into them re-enter the Biſhop of Lincoln, elevated meanwhile into Archbiſhop of York, leading with him nine other Right Reverend priſoners. Who could wonder that the wits made merry at it? They deviſed a picture, ſays Dr. Peter Heylin, in which my Lord of York was reſembled to the Decoy Duck (alluding to the

The door ſhut on perſecuted and perſecutor.

Caricature of Williams as a Decoy Duck.

* And ſee *Harleian MSS.* 163, ff. 410 a—414 b. At a ſubſequent part of the proceedings in the Impeachment, according to D'Ewes, "Mr. H. Bellaſis moved that the Biſhops of "Lichfield and Durham were at the door. Debate if they "ſhould come within the bar, and ſit on chairs or ſtools by "reaſon of their great age: but reſolved that they come in "ſingly and ſpeak at the bar."

Decoys in Lincolnſhire where he had been biſhop), reſtored to liberty on deſign that he might bring more company with him at his coming back: the device repreſenting the conceit, and that not unhappily. "Certain I am," adds the ingenious biographer of the rival prelate, "that *our* Archbiſhop, in the midſt "of thoſe ſorrows, ſeemed much pleaſed with "the fancy, whether out of his great love to "wit, or ſome other ſelf-ſatisfaction which he "found therein, is beyond my knowledge."* Poor old Laud! One need not grudge him that ray of mirth which was probably the laſt that glimmered feebly upon him between Strafford's ſcaffold and his own.

A witty conceit: Laud's enjoyment thereof: Perhaps his laſt gleam of mirth.

It may well be ſuppoſed that D'Ewes, ardent puritan as he was, underwent no great anguiſh

* Nor is this the only caricature of Williams which Heylin with infinite unction deſcribes. Relating (*Life of Laud*, p. 461) the committal of the Biſhops to the Tower, he proceeds: "*Our* Archbiſhop had now more neighbours than he "deſired, but not more company than before, it being "prudently ordered amongſt themſelves, that none of them "ſhould beſtow any viſits on him, for fear of giving ſome "advantage to their common enemy; as if they had been "hatching ſome conſpiracy againſt the publick. But they "refrained not on either ſide from ſending meſſages of love "and conſolation unto one another; thoſe mutual civilities "being almoſt every day performed betwixt the two Arch-"biſhops alſo, though very much differing both in their "counſels and affections in the times foregoing. The Arch-"biſhop of York was now ſo much declined in favour, that "he ſtood in as bad termes with the common people as the "other did; and his picture was cut in braſs, attired in his "epiſcopal robes, with his ſquare cap upon his head, and "bandileers about his neck, ſhouldering a muſket upon one of "his ſhoulders in one hand, and a reſt in the other." The two Archbiſhops exchange civilities in the Tower. Caricature of Williams as Church Militant.

of mind at the ſtroke which had fallen on the Biſhops. Looking in at the Upper Houſe ſhortly after to hear a ſentence pronounced, he ſaw without any kind of emotion that the epiſcopal bench had been turned into lumber. "There was but a thin Houſe of Lords, and "on the right ſide thereof a great emptineſs; "the two forms on which the Biſhops uſed to "ſit being thruſt up cloſe againſt the wall."* On a ſubſequent occaſion, however, he gives a reaſon which ſounds rather oddly to us now for regarding with equanimity the continued incarceration of the prelates. "The "Speaker," he ſays (in his Journal of the 21ſt March, 1641-2), "delivered in a petition "from the 12 Biſhops. I ſaid I was glad "to ſee they had omitted their ſtyle of Lord "Biſhop; for I heard from ſome that ſaw "ſome of them in the Tower but laſt Saturday "calling to one another by the title of Lord-"ſhip, whereas by the fundamental laws and "ancient conſtitution of the kingdom, their "ſtyle is, 'Your Paternity' or 'Fatherhood.' "As for enlarging them, I will ſay nothing, "becauſe I think they follow their function "of preaching better than they did before "they came in, and are likewiſe lodged in a "good air: but for Durham and Lichfield, "I deſire they may be enlarged for their "humble ſubmiſſion. They are lodged in a

D'Ewes ſees the Biſhops' Bench turned into lumber.

Is glad they no longer call themſelves "Lord-ſhips:"

and would keep them where they are.

* *Journal*; *Harl. MSS.* 163, f. 459a.

"cloſe air, namely, in the houſe of Mr. "Maxwell, uſher of the black rod, near "Charing Croſs."* D'Ewes can hardly have meant that the air was cloſe at Charing Croſs, but rather, we may preſume, that Mr. Maxwell's houſe afforded, for the cloſe keeping of a priſoner of ſtate, leſs roomy and airy as well as much more coſtly accommodation, than might be found in the buildings of the Tower.† "Cloſe air" at Charing Croſs.

§ X. Shadows of the Coming Event.

Other incidents, more exciting even than the impeachment of the whole epiſcopal bench, were meanwhile helping to make more memorable this laſt day but one of a moſt eventful year, and D'Ewes enables us for the firſt time to retrace them. "The Conference," he ſays, "being ended, we returned to the Houſe, moſt "men expreſſing a great deal of alacrity of "ſpirit for this indiſcreet and unadviſed act of Houſe of Commons, Dec. 30th, 1641. Members delighted by the folly of

* *Harleian MSS.* 163, f. 433 a.

† Biſhop Hall confirms this view, telling us how much ſubſequent reaſon he had to congratulate himſelf that the courteſy of the Black Rod, which at firſt he had much deſired, had not been extended to himſelf. "Only two of our number "had the favour of the Black Rod, by reaſon of their age; "which, though deſired by a noble Lord on my behalf" (Hall was in his 68th year) "would not be yielded. Wherein "I acknowledge and bleſs the gracious providence of my "God: for had I been gratified, I had been undone both in "body and purſe; the rooms being ſtrait, and the expenſes "beyond the reach of my eſtate." *Works*, i. xlvi. Diſadvantages of the Black Rod.

the Biſhops.

" the Biſhops."* It was ſuch alacrity of ſpirit as lighted up the gloomy features of St. John when he felt that all muſt be worſe before it could be better. But it was quickly diſpelled in the preſent caſe by the unuſual gravity and ſerioufneſs with which Pym, after report made of the Conference, moved unexpectedly that the door of the Houſe might be ſhut, and that none might go out. Others, carrying further the fears of their grave leader, would have had it ordered alſo that the outward room might be cleared, and that none might go into the Committee Chamber. But at this Sir Simonds aroſe. " Thinking it," he ſays, " too great a reſtraint, upon any reaſon " whatever, I moved that I did very well allow " that the door ſhould be ſhut, but to reſtrain " our going into the Committee Chamber " there was no need, ſeeing we intended to " clear the outward room, where there would " be none left but the officers and miniſters of " the Houſe, whom I conceived we might " truſt to." D'Ewes's ſuggeſtion was admitted to be reaſonable, and was adopted; but the Speaker made a point at the ſame time of deſiring that nobody who went into the ſaid Committee Chamber ſhould ſpeak to anybody out at the window, or throw out unto them any paper writing. " I expected," D'Ewes adds, " ſome ſtrange motion upon this ſecret

Members alarmed by a ſuggeſtion of Pym's.

Objection made by D'Ewes.

A ſtrange motion expected:

* *Harleian MSS.* 162, f. 294 b.

"ſecluding and cloſe reſtraining of ourſelves; and it followed accordingly." which follows accordingly.

What Pym proceeded to ſay had ſomething in it beyond that mere general ſenſe of danger, which, from his knowledge of the King's character, he muſt have known to be incident to his own refuſal of the offer that had been ſo recently made to him. His remarks, as briefly reported by D'Ewes, can hardly fail to be regarded as evidence of ſome knowledge, on his part, of the attempt ſo ſoon to be made. He is miſtaken as to time, the danger being leſs immediate; he underſtates it as to perſons, the peril ſtretching to the Houſe generally through individuals firſt to be aſſailed; but in deſiring to obtain from the majority a prompt and deciſive action upon their claim to a ſufficient Guard or Protection to be choſen by themſelves, which was ſtill in diſpute with the King, he had, while neceſſarily perhaps leaving unrevealed the entire extent of the danger known to him, with great ſagacity at once addreſſed himſelf to the remedy that alone could fully meet the danger, whatever it might be. His object was to induce the Houſe to invite a Guard of Citizens to their protection without another day's delay; but he ſpoke evidently under ſome reſtraint, and the reception given to what he ſaid would ſeem to indicate that he had taken but few into his confidence as to

Pym's ſpeech.

The remedy for danger.

Neceſſity for an immediate Guard.

* *Harl. MSS.* 162, f. 295 a.

the particulars which rendered him ſo urgent. Altogether, indeed, it is evident enough that, through the interval which had yet to paſs before the King's attempt was made, Pym was driven to concealments and half-confidences which circumſtances rendered unavoidable; and there is little reaſon to doubt that from thoſe who had ſecretly opened with him the negotiations for that acceptance of office which would have been his ruin, he had derived, under the ſame ſeal of ſecrecy, knowledge which proved directly inſtrumental to his ſafety and that of his friends.

The whole truth not told.

Report of Pym's Speech by D'Ewes.

The preciſe words of D'Ewes are theſe: "Mr. Pym moved that there being a deſign "to be executed this day upon the Houſe of "Commons, we might ſend inſtantly to the city "of London. That there was a plot for the "deſtroying of the Houſe of Commons this "day. That we ſhould therefore deſire them "to come down with the Train Bands for our "aſſiſtance." At which D'Ewes confeſſes he was very much troubled, becauſe he feared that the remedy propoſed would be as dangerous as the pretended deſign. "Some few," he adds, "ſeconded Mr. Pym's motion, but more op-"poſed it; and ſome wiſhed that we might "adjourn ourſelves to Guildhall." D'Ewes ſpoke on that queſtion, remarking, in oppoſition to Pym, that if all the grounds of ſuſpicion were that ſome officers of the late

A deſign to be executed:

A plot for deſtroying the Houſe of Commons.

Adjournment to Guildhall propoſed.

army had been carouſing at Whitehall the previous day, or that the King had drawn together a Guard, he did not think theſe ſufficient to juſtify departure to the city. He added a ſuggeſtion oddly characteriſtic of himſelf, that if Mr. Pym had more certain grounds for the cauſes of fear alleged, he knew of no ſuch preſent preventive than that "we ſhould "adjourn ourſelves till three of the clock, "that ſo we may not be taken altogether." * As for the proceeding into the city, he quoted a ſaying of the Recorder, that the citizens are not all the ſons of one mother, nor of one mind; and it was not well that the Houſe ſhould place abſolute faith even in London citizens. The words which cloſed his ſpeech are all of it that he has further left on record. He wiſhed to learn what the deſign was to which Mr. Pym had alluded, and whether it were near or diſtant.

D'Ewes oppoſes departure to City.

"Let us not be taken together."

The deſign near or diſtant?

Pym made no reply to this appeal, and the reſult of the day's debate is not known. But it is probable, from what occurred next day, that the middle courſe was adopted of a renewed appeal to the King.

On Friday the 31ſt December, Denzil Hollis delivered verbally to Charles the Firſt, in the name of the Commons of England, their earneſt deſire for a Guard out of the City under command of the Earl of Eſſex. The

Friday, 31ſt Dec. 1641.

Demand for Guard

* *Harleian MSS.* 162, f 295 b.

under Lord Eſſex:

King, whoſe object now was to gain time however brief, declined to receive this verbal meſſage, and required it in writing. It was immediately drawn up and preſented the ſame day; and we learn that the Commons, receiving

No reply.

no immediate anſwer, committed it to three of their members, Pye, Glynn, and Wheeler, juſtices of peace for Weſtminſter, to ſet, in convenient places for the ſafeguard of the Houſe, good watches ſufficiently armed. They further

Halberts meanwhile provided.

ordered that Halberts ſhould be provided, and brought into the Houſe, for their own better ſecurity; which was done accordingly to the number of twenty, "and the ſaid Halberts "ſtood in the Houſe for a conſiderable time "afterwards." Reluctantly was conſent then given* to adjournment over even the old recogniſed holiday of New Year's Day, and not

Committee to receive reply.

without the naming of a Committee to receive the King's anſwer if it ſhould meanwhile be vouchſafed.

That anſwer, however, the King had reſolved to accompany by another document that ſhould be the moſt characteriſtic comment it was capable of receiving, and both were withheld until the morning of the following

Saturday 1ſt Jan. 1641—2.

Monday. For the intervening Saturday he had other engagements.† On that day, the

* After a remarkable speech by Pym at conference with the Lords: see *Parl. Hiſt.* Ed. 1762, x. 151-5.

Dates of

† The Council Regiſter ſupplies important dates. On the 1ſt January 1641-2, the ſubjoined entry appears.

first of the ill-omened year when his standard was finally unfurled against the most earnest and conscientious of his subjects, he sat with his ministers in Whitehall; and, the great Leader of the Long Parliament having refused his proffered bribe, those two members of the Long Parliament who at its opening had with the greatest vehemence denounced the crimes of his misgovernment took places at the Board. Lord Falkland was sworn of his Majesty's most honorable Privy Council, and seven days later received the seals of a Secretary of State; and Sir John Culpeper having been also duly sworn, order was given for preparation of his patent as Chancellor of the Exchequer. It was made out "for life:" the King vainly hoping by such unconstitutional expedients to bar the power of the Commons to effect a removal of his Councillors. Whether or not Culpeper and Falkland had cognizance of the first official act that was to follow their

A Council at Whitehall.

Falkland and Culpeper sworn into their offices.

Consequences and responsibilities

"This day Lucius Viscount Falkland was sworne of his "Ma^ts Most Honble Privy Counsell, by his Ma^ts Command "sitting in Counsell, tooke his place and signed with the "other Lords."

new appointments.

A similar entry of the same date has relation to Culpeper, and order is given for his admission "into the place of his "Ma^ts Under Treasurer and Chancellor of his Exchequ^r:" but the patent securing him the office for life (he held it for little more than a year, it being then given to Hyde) is not dated until the 6th of January. Two days later we have the following entry:

Culpeper Chancellor of Exchequer.

"This day, his Matie present in Counsell, and by his Royall "Command, the Lord Visct Falkland was sworne one of his "Ma^ts Principall Secretaries of State."

Falkland Secretary of State.

incident to Office at ſuch a time.

acceptance of office, it cannot be doubted that they accepted it at too critical a time, and amid public excitements and diſſenſions of too high and dangerous a nature, not to imply alſo a deliberate and ſettled acceptance of all the conſequences it might carry with it.

§ XI. The Impeachment before the Lords.

Monday 3rd Jan. 1641-2.

The day had at length arrived when the danger ſo long believed to be impending was to take definite ſhape. Early in the

King's meſſage to Commons refuſing Guard.

morning of Monday the 3rd of January, while the Lower Houſe were moodily liſtening to the King's meſſage refuſing them the military Guard they had aſked for under Eſſex's command, but promiſing, with what muſt have ſounded as contemptuous irony, to be himſelf their protector, Mr. Attorney-General Herbert, who was no longer a member of the Commons but had taken his ſeat with the Lords under his writ of ſummons as

Attorney-General delivers impeachment to the Lords.

Aſſiſtant, was delivering at the clerk's table of the Upper Houſe the ſubſtance of another Royal Meſſage, accuſing of high treaſon five members of the Commons and one of the Lords. Every circumſtance of mere form was obſerved in the accuſation; and Mr.

Introduced by Lord-Keeper Littleton.

Attorney had not left his ſeat on the Judges' woolſack until Lord-Keeper Littleton, as the mouthpiece of the King, had duly referred to

the public buſineſs which his officer was there to diſcharge. It is not unimportant to obſerve this, ſeeing that both theſe dignitaries of State ſought afterwards to put off from themſelves upon the Sovereign the reſponſibility which the act had made their own.

The articles of treaſon were ſeven in number, and were read from a paper which Sir Edward Herbert afterwards, in defending himſelf, ſaid that he had received directly from the King. Whether the formal and ſtrictly legal wording and expreſſion of the articles had been received alſo directly from the King, he omitted to ſay. The firſt article charged the accuſed generally with the attempt to ſubvert the Government and fundamental laws, and to place in ſubjects an arbitrary and tyrannical power. The ſecond, aimed againſt their authorſhip of the Remonſtrance, attributed to them the traitorous endeavour, by many foul aſperſions upon his Majeſty and his Government, to alienate the affections of the people, and to make his Majeſty odious to them. The third charged them with having endeavoured to draw the King's late army to ſide with them in their traitorous deſigns. The fourth, directed againſt alleged communications with the Scottiſh Rebels, imputed to them the traitorous invitation and encouragement to a foreign power to invade his Majeſty's kingdom of England. The fifth, adopting

The Seven Articles of Treaſon.

i. General charge.

ii. Authorſhip of Remonſtrance.

iii. Tampering with the army.

iv. Invitations to the Scotch.

v. Puniſhment of Proteſting Minority.

the language of the Minority of the Commons when the demand to record a proteſt againſt the paſſing of the Remonſtrance was refuſed, accuſed them of having traitorouſly endeavoured to ſubvert the rights and very being of parliaments.

vi. Raiſing tumults.

The ſixth accuſed them of having actually raiſed and countenanced tumults againſt his Majeſty.

vii. Levying war.

And by the ſeventh, having reference to the armed Guard which they had perſiſted in voting for protection of the Houſe, they were ſaid to have traitorouſly conſpired to levy, and actually to have levied, war againſt the King. A manuſcript copy of the charge, endorſed in the handwriting of Secretary Nicholas as "articles of treaſon "againſt Mr. Pym and the reſt," exiſts in the State Paper Office, and is printed below.*

MS. Articles of Treaſon in State Paper Office.

* "Articles of High Treaſon and other high miſdemeanors "ag^t the Lord Kemolton, Mr. John Pym, Mr. John Hampden, "Mr. Denzil Hollis, Sir Arth^r Haſlericke, and Mr. Willm "Strode.

"1. That they have traytorouſly endeav^rd to ſubvert the fundamentall Lawes and Gov^nt of the Kingdome of England, to deprive ye king of his royale power, & to place in ſubjects an arbitrary & tyrannicall power over the lives, libertyes, & eſtates of his Maj^ts lovinge people.

"2. That they have traytorouſly endeav^d by many fowle aſperſions upon his Matie & his Govern^t, to alienate the affections of his people, & to make his Matie odious unto them.

"3. That they have endeav^d to drawe his Ma^ts late armye to diſobedience to his Maties comands, & to ſyde with them in their traytorous deſignes.

"4. That they have traytorouſly invited and incouraged a forreigne power to invade his Maties kingdome of England.

"5. That they have traytorouſly endeav^d to ſubvert the rights & very being of Parlam^ts.

While the articles were publicly read, the trouble and agitation were extreme. Their Lordſhips, to uſe the expreſſion of Clarendon, were "appalled." He is hardly juſtified, however, when he ſomewhat ſpitefully adds that they took time till the next day to conſider of it, that they might ſee how their Maſters the Commons would behave themſelves. Waiving altogether the King's requirement through his Attorney-General for immediate poſſeſſion of the perſons of the accuſed, and for a committee to take evidence on the charges, the Lords at once raiſed the queſtion of the regularity of the accuſation itſelf, and referred it to a certain number of their members to produce precedents and records. They ſent an immediate meſſage to the other Houſe and named members for a Conference. On the previous day, as on a day preceding, they had declined the urgent inſtance of the Commons to join with them in demanding a Guard under an officer of their own ſelection; but now they intimated their readineſs to join in that demand.*

Agitation among the Lords.

Immediate action taken.

King's demand refuſed.

Agreement with Commons.

"6. That for the compleating of their traytorous deſigns, they have endeav[d] as farr as in them lay by force & terror to compell the Parlam[t] to joyne with them in theire traytorous Deſigns, and to that end have actually rayſed & countenanced tumults ag[t] y[e] King and Parlam[t].

"7. That they have traytorouſly conſpired to levie & actually have levyed warr ag[t] the King."

* The petition of both Houſes was tranſmitted on the evening of the 3rd, but the reply, ſuſpended by the exciting events which immediately followed, was not handed in until after the King had left London never to return, and the Houſes had provided their own Guards. The original MS.

Lord Kimbolton repels the charge.

The feeling diſplayed was altogether ſuch, indeed, that though the peer included in the articles of impeachment, Lord Kimbolton, was not only preſent, but upon the inſtant aroſe, repelled the charge, and challenged public enquiry into it, no one was ſo hardy as to preſs for his commitment. The perſon ſitting next to Kimbolton while the Attorney-General read the articles, was Lord Digby,

Lord Digby ſilent:

who alone, according to Clarendon, knew of the King's intention, and had promiſed to move the commitment (after the precedent in the caſe of Strafford) as ſoon as the accuſation

Charles's anſwer to petition for Guard.

of this reply ſtill exiſts in the State Paper Office, dated the 3rd, and wholly in the handwriting of the King. It ſhows what his determination had been to fight out the matter to the laſt, and the ſecret reliance he ſtill placed, notwithſtanding the Citizẽn aſſemblages and tumults at Weſtminſter, on the power of the Lord Mayor within the City to promote and ſupport his ſervice. It is endorſed "Anſwer for a Guard," and runs thus:

Not Lord Eſſex, but Lord Lindsay:

"We having conſidered the Petition of bothe houſes of "Parlament concerning a Guard, doe give this anſwer; that "we will (to ſecure there feares) coñand the L. Mayor of "London to apoint 200 men out of the Trained Bands of the "Citie (ſuch as he will be anſwerable for to us) to wait on "the Houſes of Par: that is to ſay, a Hundred on each "Houſe, & to bee coñanded by the E: of Lindſay: it being "moſt proper to him, as being L: Great Chamberlaine; who "by his place hath a particular charg: of ye Houſes of "Parliam^t^, and of whoſe integritie, courage, & ſufficiencie, "none can dout."

The moſt devoted of Royal partizans.

The amount of ſincerity involved in this propoſal may be meaſured by the fact, that the Hereditary Great Chamberlain, being its author's moſt devoted adherent, was the man who within two or three weeks after ſigning the celebrated Belief that Charles had no intention to declare war againſt his ſubjects, actually took command of the troops levied for that purpoſe, and immediately after fell bravely fighting for his maſter as Commander-in-chief of the Royaliſt forces at Edgehill.

ſhould be made.* Whether the warning ſent this day by Marſton† had already reached Lord Kimbolton, we have no means of knowing; but it ſeems probable that it had, and that his prepared and reſolute aſpect took Digby by ſurpriſe. It is quite clear, from a ſubſequent paſſage in Clarendon's Hiſtory, that the author believed his friend to have failed either in courage or good faith.‡ Not to have moved at once the commitment "as ſoon as the Attorney-General had accuſed Kimbolton," he made a diſtinct charge againſt Digby, on the ground that if he had done ſo, he would probably "have raiſed a very hot diſpute in the "Houſe, where many would have joined with "him." I do not think it unjuſt to Lord Clarendon to ſay, that we may infer from this paſſage what his own feeling was. Yet between the proceeding by Attorney, and the King's perſonal interference, the difference was not very great.

Failure in courage or good faith: Clarendon's charge againſt him.

For the moment, there is little doubt, even Digby's reckleſs audacity would appear to have failed him. Seeing the temper of the Houſe, he not only ſat ſilent, but affected the utmoſt ſurpriſe and perplexity as Mr. Attorney proceeded; and at the cloſe, whiſpering in Lord Kimbolton's ear with great ſeeming agitation that the King was very miſchievouſly adviſed,

Digby affects ſurpriſe:

* Clarendon, *Hiſt.* ii. 125.

† See ante, 86-88.

‡ *Hiſt.* ii. 128.

and ſuddenly quits the Houſe.

that it ſhould go hard but he would diſcover his adviſer, and that he would at once go to him to prevent further miſchief, he rapidly quitted the Houſe.*

§ XII. The Impeachment before the Commons.

D'Ewes in the Lower Houſe.

D'Ewes meanwhile was buſy in the Lower Houſe with his pen and ink, in his uſual place by the Speaker's chair, "on the lowermoſt "form cloſe by the ſouth end of the clerk's "table;" but his pen moved leſs regularly than was its wont, and there is ſcarcely a ſingle ſentence in this particular day's entry that is not left half-finiſhed. As he entered the Houſe he had obſerved groups and crowds of officers and others ſcattered about here and there, in the lobbies and outſide paſſages, in a manner not uſual; but he took his ſeat without ſuſpicion of what was paſſing in the Lords,

Pym ſpeaking to the King's refuſal of a Guard.

and found Pym ſpeaking to the Anſwer made by his Majeſty to the deſire of the Houſe for a Guard of their own chooſing, and making report as to thoſe very incidents, of a threatening and unuſual kind, which had attracted his own attention outſide. Soon the agitation prevailing communicated itſelf to the learned member

D'Ewes's hurried and unfiniſhed reports.

for Sudbury, and we can but follow in unfiniſhed and ſomewhat incoherent lines the courſe of the ſpeech, at the cloſe of which

* Clarendon, *Hiſt.* ii. p. 128.

Pym moved and carried a ſuggeſtion by way of requeſt to the authorities of the City, that they would permit companies of trained bands to attend as a Guard upon the Houſes at Weſtminſter, and that they would ſet ſtrong defences and watches about the City ſtreets and walls. Suggeſtion for a City Guard.

One or two of the ſentences ſtill traceable in D'Ewes's note-book may ſhow the tone Pym ſpoke in. "The Great Counſel of the King-dom ſhould ſit as a free Counſel . . . No force about them without conſent . . . Not only a Guard of ſoldiers but many Officers in Whitehall . . . Divers deſperate and looſe perſons are liſted and combined together under pretext to do his Majeſty ſervice. . . . One Mr. Buckle had ſaid the Earl of Strafford's death muſt be avenged, and the houſe of Commons were a company of giddy-brained fellows." After Pym ceaſed, Nathaniel Fiennes brought forward, by way of report, ſome other facts exhibiting the diſloyal conduct of the Digbys to the Houſe; but his relation was brought ſuddenly to a cloſe. Pym and Denzil Hollis were called to the door upon urgent meſſages by their ſervants, and members, in much excitement, began talking to each other at the ſame moment of what was paſſing in the Lords. Then Pym returned to his place, and Nathaniel Fiennes cloſed his report. Fragments of Pym's ſpeech. Pym and Hollis informed of outrage at their homes:

"Mr. Fiennes's relation was ſcarce made," ſays D'Ewes, "when the whole Houſe, *at leaſt*

Theirs and Hampden's papers ſeized by King's warrant:

" *the moſt of us*, were much amazed with " Mr. Pym's information, who ſhowed that " his trunks, ſtudy, and chamber, and alſo " thoſe of Mr. Denzil Hollis, and Mr. Hamp- " den, were ſealed up by ſome ſent from " his Majeſty." This the Houſe proceeded to declare a grave breach of privilege; and it was further ordered, without debate, and with wiſe and well-timed reference to the ſolemn Proteſtation which every member had ſigned on the eve of Strafford's execution in behalf of the rights of Parliament, that if any perſon whatſoever, without firſt acquainting the Houſe therewith and receiving from it due and neceſſary inſtruction, ſhould offer to arreſt or detain the perſon of any member, it was lawful for ſuch member to ſtand upon his guard of defence, and to make reſiſtance according to the Proteſtation taken to defend the privileges of Parliament. D'Ewes adds, that " though pri- " vate intimation was now given to us that the " King's Attorney had in his Majeſty's name " in the Lords' Houſe accuſed the ſaid mem- " bers, and ſome others of our Houſe of high " treaſon, yet we accounted it a breach of " privilege that their papers, &c. ſhould be " ſealed up before their crime was made known " to this Houſe." *

Declared a breach of privilege.

Reſiſtance juſtified.

Reſolution againſt ſeizure of private papers.

A breach of privilege had indeed been committed. Fifty voices aroſe with that of the

* *Harleian MSS.*, 162, ff. 300 b, 302 a.

learned maſter of precedents at once to declare it ſo. It was not ſimply that the privileges of Parliament had been outraged in the form and manner of the proceeding, but that the moſt ordinary ſafeguards of law, to which the meaneſt citizen had to look for his daily and hourly protection, had been deliberately violated and put aſide. The new Chancellor of the Exchequer, Culpeper, was preſent; and with Lord Falkland, the new Privy Councillor, occupied for the firſt time the official ſeats on the right of the Speaker's chair: but not a word againſt the reſolution now moved was uttered by either. Hyde was not in the Houſe, and it will appear hereafter to be a fact of ſome ſignificance that no proof is diſcoverable of his preſence during any of theſe debates.

Violation of law as well as privilege.

The new miniſters ſilent.

Hyde abſent.

The declaration of breach of privilege, and the order for reſiſtance, having paſſed by acclamation, a Committee of conference was appointed to carry them to the Lords; the managers named being Glyn, the member for Weſtminſter and one of the leading lawyers on the popular ſide, Nathaniel Fiennes, and Sir Philip Stapleton. Theſe had anſwered to their names, and were about to proceed to the Lords, when it was announced that Mr. Francis, King's Serjeant-at-Arms, was at the door of the Commons, having the mace in his hand, and bearing command to deliver from his Majeſty

No oppoſition attempted.

The King's Serjeant at the door of the Houſe:

a meſſage to Mr. Speaker. But, even in that hour of ſupreme excitement, the leaders of the Houſe forgot nothing that was due to its power and pre-eminence within its own walls. Mr. Francis was not permitted to enter until he had laid aſide his mace. Diveſted of that ſymbol of authority he advanced to the Bar, and amid profound ſilence ſaid that he had been commanded by the King's Majeſty, his maſter, upon his allegiance that he ſhould repair to the Houſe of Commons where Mr. Speaker was, and there to require of Mr. Speaker five gentlemen, members of the Houſe of Commons; and thoſe gentlemen being delivered, he was commanded to arreſt them in his Majeſty's name of High Treaſon. "Their names," he added, "are Denzil Hollis, Sir Arthur Haſlerig, "John Pym, John Hampden, and William "Strode."

Enters, without his mace.

Demands the Five Accuſed.

No debate followed. The temper of the Houſe had been too decidedly ſhown to render ſafe any attempt to contravene it; and a ſort of ſettled and ſtern compoſure, contraſting ſtrangely with the agitation that prevailed while yet the threatened blow had not fallen, appears in all the proceedings that immediately followed. The full knowledge of the worſt, or what too haſtily was taken for the worſt, brought with it all that upon the inſtant became neceſſary to ſecure—what now was

No Debate.

Compoſure of the Houſe.

directly in peril—even the very exiſtence of Parliament and parliamentary power.

Mr. Francis was directed to wait outſide the door until the pleaſure of the Houſe ſhould be communicated to him. A meſſage to the King was then ordered, not to be carried by Mr. Francis, but by four of their own members, of whom two, being his Majeſty's Privy Councillors, might haply ſerve to remind him, that, even from his choſen and ſelected Miniſters, an allegiance was due within thoſe walls from which no power or prerogative claiming above the law could abſolve them. As the ſworn ſervants, not of the King, but of the Commons of England, Culpeper and Faulkland were required to accompany Sir John Hotham and Sir Philip Stapleton, when the cloſe of the conference with the Lords ſhould have releaſed Sir Philip. They were to inform the King that his meſſage, being matter of great conſequence, and concerning the privilege of all the Commons of England, would be taken into ſerious conſideration by the Houſe, which in all humility and duty would attend his Majeſty with an anſwer with as much ſpeed as the greatneſs of the buſineſs would permit, and that the ſaid accuſed members in the meantime ſhould be ready to anſwer any *legal* charge made againſt them.

The Serjeant ordered to wait outſide.

Deputation to carry meſſage to the King:

the accuſed will anſwer any *legal* charge.

The five members were then ſeparately addreſſed by Mr. Speaker, who enjoined them, one

The Five Accuſed ordered to attend daily.

by one, to attend *de die in diem* in that Houſe until further direction, ſuch attendance to be ſpecially entered upon the Journals.* Of the matter charged in the articles of treaſon no notice now was taken. An order was ſimply made that the Houſe ſhould ſit next morning at ten o'clock, as a Grand Committee, to conſider the meſſage of the King. But what this meant was well underſtood, and that the members were then to be heard in reply to their accuſer.

Reſolution for Military Guard out of City.

The act which followed proved to be one of the moſt important of all. The reſolution for a Guard of the trained bands of the City, moved and carried by Pym at the opening of the ſitting, was turned into an order of the Houſe and committed to the care of Alderman Pennington and Captain Venn, members for London, who were directed immediately to repair thither and demand of the Chief Magiſtrate and Authorities therein, in compliance with ſuch order, a Military Guard for protection of the Houſe. The charge was promptly executed; in what circumſtances, and with what effect, will hereafter be ſeen.

Venn and Pennington ſent to the Lord Mayor.

Day declining.

All this had been done with marked deliberation, and the day was far advanced. The conference with the Lords as to breach of privilege had been brought to a cloſe, and the Upper Houſe had joined with the Lower in

* Where it yet ſtands, *C. J.* ii. 368.

declaring againſt the outrage committed by the act of ſealing up the trunks, papers, and doors, in the private houſes of the accuſed. Then an order paſſed the Houſe, giving power to its Serjeant-at-Arms to break open thoſe ſeals, and to Mr. Speaker's warrant to take into cuſtody the perſons by whom they were attached. Sir William Fleming and Sir William Killigrew,* it had now been aſcertained, were the King's principal agents; and, a warrant for their apprehenſion having been iſſued, Sir William Fleming and the perſons who had acted under his direction were conveyed that night to the cuſtody of the Serjeant-at-Arms. Sir William Killigrew was not to be found.

Seals affixed by King's warrant to be broken.

King's agents who ſeized papers to be impriſoned.

Of the acts and proceedings of this memorable day, which before midnight were in print and circulated throughout the City, that was

* Theſe were men reckleſs and needy, hangers-on of the court, and of broken fortunes. Among more important documents in the State Paper Office there remains a note of this Sir William Killigrew's dated eighteen months before this time, which ſhows, not merely the ſtraits he was in for money (common enough then for the beſt men about the Court), but the diſcreditable ways and means he reſorted to for getting it. "Knowe all men," it runs, "that I, Sr Wm Killigrew "of London Kn^t have borrowed of Mast^r Robert Longe of "London Esqr a diamond hatband and one table diamond "ringe, wch I the ſaid Sr Wm Killigrew have pawned unto "Capt. Peeter (who dwelleth at M^str Southe's the cutlar "in the Strand) for one hundred pounds; the which I doe "binde myſelfe my heires and executors to redeeme and to "reſtore unto Maſt^r Longe in or before Michaelmas Terme "next: in witneſs whereof I have hereunto ſett my hand,

"London: June 22^d, 1640. Will KILLIGREW."

Endorſed: "Sir Wm Killigrew's note for the Diamond "Hatt Band and Ring."

Sir William Killigrew: diamond and hatband and ring.

Laſt act of the Houſe on 3rd Jan.

the laſt but one. The laſt was to ſend out intimation to the King's Serjeant-at-Arms and Meſſenger, Mr. Francis, "who attended "*all this while* at the door of the Houſe of "Commons," that the anſwer to the King would be borne by members of their own.

§ XIII. What followed the Impeachment.

Interview with the King.

It was night before Falkland, Culpeper, Stapleton and Hotham were admitted to audience at Whitehall, and very ſtrange the interview muſt have been. Charles appears to have addreſſed himſelf ſolely to Falkland. Haſtily, when the meſſage had been delivered, he aſked whether any reply was expected, and, in the ſame breath, before Falkland could anſwer, ſaid that

A promiſe for next day.

the Houſe ſhould have his reply as ſoon as it aſſembled next morning, and that meanwhile it was to take his aſſurance that what had been done was done by his direction. It is juſt poſſible that Charles's intention, when he ſaid this, may have been to ſend ſuch reply; but if ſo, it did not ſurvive the ſcene which is alleged to have been acted in thoſe royal apartments not many hours after the four members quitted them.*

Authority for ſcene to be deſcribed.

The anecdote reſts on the authority of a manuſcript note publiſhed by the hiſtorian Echard, which had been left by Sir William Coke of Norfolk to Mr. Archetil Grey, the

* Echard's *Hiſtory* (ed. 1720), p. 520.

brother of Lord Grey of Groby; and though it certainly ſeems dated ſome hours too ſoon even for the occurrence it profeſſes to relate, and ſhould be read very guardedly, there is room to ſuſpect that it poſſeſſes a conſiderable ſubſtratum of truth, for the underſtanding of which the reader will be better prepared if certain preliminary circumſtances and conſiderations are ſubmitted to him. Upon the entire ſtatement of the facts he will have to judge, how far the proceedings which already have been deſcribed are likely, in all the ſtartling and dangerous circumſtances of the time, to have been taken, as Mr. Hallam ſeems to ſuppoſe, by the King acting ſingly and apart, not merely from his authorized adviſers and from all his Privy Council,* but from the new adherents of his perſon and recipients of his favour, won to him by the Great Remonſtrance. He will have to determine how far it is credible, that a deſign of ſuch magnitude as the impeachment of leading members of the Commons, of which before the event rumours and alarms had gone forth

Admixture of true and falſe.

View taken by Mr. Hallam:

How far credible.

* Hallam's words are (*Conſt. Hiſt.* ii. 125, ed. 1855) that "the King was guided by bad private advice, and cared not "to let any of his Privy Council know his intentions leſt he "ſhould encounter oppoſition." This ſurmiſe may be correct, but the King's character and hiſtory cannot be ſaid to ſupport it. The life of Strafford offers inceſſant proof that Charles took ſtrange pleaſure in reſiſting the advice of men moſt attached to him, and in whom he had reaſon to place the greateſt confidence. All the moſt ſerious acts of his own life were done in the very teeth of the moſt prudent counſellors who remained with him.

Ill adviſers: Mr. Hallam's view not conſonant with character of the King.

Did the King act apart from all advice?

in many quarters; for which the late lawleſs levy of a Court of Guard at Whitehall was now loudly aſſerted to have been the preparation; which, to every one in the King's confidence, was beyond all queſtion known to be a deſign not now for the firſt time entertained; and which required the aid of the keeper of his conſcience, and the firſt law officer of his crown, to carry through its very firſt ſtage; had yet been imparted to no member of his Council when from his own hand the Attorney-General Herbert received the written articles of treaſon, and from his own lips the Lord Keeper Littleton took the meſſage to the Lords. When Littleton and Herbert afterwards aſſerted ſo much, Strode, one of the accuſed, publicly avowed his diſbelief.* But

Were the Attorney and Keeper wholly ignorant?

What Strode thought of their participation.

* This incident took place on the 12th February, when the conduct of Sir Edward Herbert (who had ſat for Old Sarum: there were ten other Herberts in this Parliament) was under diſcuſſion. D'Ewes tells us (*Harl. MSS.* 162, ff. 377b, 385 a): "Mr. Pierrpoint ſaid that the Lord Keeper had told "him that after his Maj^{y} had ſhown the articles to the "Attorney (impeaching Pym, &c.) he did to his uttermoſt "power adviſe his Ma^{y} not to prefer them; but the King "commanding him to do it, he came to the Lords Houſe "to perform the ſame, but was ſo troubled in mind when "he came there, that he did adventure to return back "to his Maj^{y}, and did humbly and earneſtly adviſe "him the ſecond time not to prefer the ſame, but then "receiving his Maj^{ties} abſolute and peremptory command "to do it, he performed it accordingly. Mr. Strode ſaid "he believed that Mr. Attor^{y} did not only contrive the "ſame, but knew of the deſign itſelf alſo, for he was a man "of great parts and well ſkilled in ſtate matters, and was very "violent both on Monday and Tuesday Jany 3 and 4." All things conſidered, Strode's ſuggeſtion was at leaſt a pardonable one; and the reader will ſhortly have an opportunity of teſting

Mr. Attorney's excuſes to the Houſe.

Diſbelieved by Strode.

ſuch a queſtion cannot even be raiſed upon the more daring act which was to be done on the ſucceeding day. There is not a ſhadow of pretence for the aſſertion, that the King had kept ſecret to the laſt hour the purpoſe to which effect was now to be given. It was moſt certainly diſcuſſed on this preceding night, and on the morning of the day itſelf; nor is there any doubt as to ſome at leaſt of thoſe who were preſent at the ill-judged and ill-fated Council.

Propoſed attempt of the 4th not ſecret to the laſt.

Diſcuſſed the previous night.

§ XIV. Scene in the Queen's Apartments.

Whitelock, who had fair opportunities of information both at the time of the occurrence and afterwards, ſays in his *Memorials* that "the "Papiſts, by the means and influence of the

Ill adviſers:

the credibility of the Lord Keeper's and Attorney General's ſtatement by comparing it with accounts of the tranſaction under the King's own hand. A few days before the preſent debate (Saturday, 29 Jan.) an effort had been made by the Court party to acquit Herbert by putting off upon "Peter "Baal, Esq. of the Middle Temple, being the Queen's "attorney" (this is the "Ball" of the not very comprehenſible paper memorandum in Sir Ralph Verney's *Notes*, p. 150) the act of having drawn the articles of treason. D'Ewes enables me to ſtate this; and as the cloſe of his Journal on that day is characteriſtic of the uſage of the time, and of the unruly practices of honorable members, I ſubjoin it: "Several committees "went out between 12 & 1, and many members, about one half "in the Houſe, went out to dinner. Divers called to keep "the doors ſhut, which made me to move—not to diſturb the "ſervice of the Houſe by calling out 'Shut the door,' but "that we might again renew the ancient order of Parliament, "and, ſeeing the days were growing longer, ſit to a later "period in the afternoon."—*Harl. MSS.* 162. f. 359 b.

The Queen's Attorney put forward.

"Shut the Door."

Papiſts and women.

" Queen, as was ſuppoſed, perſuaded the King " the next day in the morning to come himſelf " to the Houſe of Commons;" and he adds, as an accredited rumour of the time, that it was the women's counſel and irritation of Charles, telling him that if he were King of England he would not ſuffer himſelf to be baffled about theſe perſons, which provoked him to go to the Houſe himſelf, and fetch them out.* Madame de Motteville ſtates diſtinctly in her *Memoirs* that the Queen had told her of a project to ſtrike terror into the Parliament, and ſeize again the power that had been wreſted from them; and, in another paſſage, ſhe ſays more plainly that the King returned from the great dinner which had been given him in the City on his arrival from Scotland,† ſo elated by the cheering and applauſe

Statement of Madame de Motteville.

* *Memorials*, i. 154 (ed. 1853).

† Ante, 21, 22. Without placing anything of an implicit reliance on what is ſaid by the Queen's chamber-woman, her poſition at the time yet fairly entitles her to be heard. "She" (the Queen) "was ever diligent," ſays Madame de Motteville, "in gaining partizans to her huſband, and won over "the Lord Mayor. On the King's return from Scotland "ſhe went to meet him and to appriſe him of the compliant "diſpoſition of his ſubjects. The royal family were received "in London with great marks of loyalty, & the King re-"ſolved to take advantage of this ſtate of things, to ſeize the "leaders of the Houſe of Commons. He entruſted his plan to "few but the Queen." A more truſtworthy witneſs to the diſaſtrous effects of that unfortunate City dinner is the hiſtorian May: "Who would not in probability have judged," he ſays (*Hiſt.* lib. 2, cap. 2, 18-19), "that the forementioned "coſtly and ſplendid entertainment which the City of London "gave to the King, would have exceedingly endeared them "unto him, and produced no effects but of love & concord? "Yet accidentally it proved otherwiſe. For many people, "ill affected to the Parliament, gave it out in ordinary diſ-

Henrietta's conduct on the return from Scotland.

May the hiſtorian.

of the Citizens, that he determined to avail himſelf of the ſuppoſed popularity implied in it, to ſeize the "leaders" in Parliament. Monte- Warning to the accuſed from French Ambaſſador. reuil, the French Ambaſſador, ſubſequently claimed the credit to himſelf of having given timely notice to the leaders ("J'avois prévenu "mes amis, et ils ſ'étoient mis en ſûreté") to provide for their ſafety; and even if the fact of his having done ſo were doubtful, he would hardly have ventured to claim the credit unleſs it were notorious that he had the opportunity. Finally, it only needs to advert, in proof of the notorious complicity of the Queen's party in the deſign, to the ſubſequent ſtate paper of the Commons in which they denounce "the in- Effects of Queen's intermeddling. "fluence which the prieſts and Jeſuits had "upon the affections and counſels of the "Queen, and the admiſſion of her Majeſty to "intermeddle with the great affairs of ſtate."*

The leaders of the Commons had indeed good reaſon to ſuſpect her Majeſty. Not many months before this date, when their interference had arreſted her announced journey to Spa, they were foully aſſailed by the Royaliſts upon the ground that they had covered her with Her deſigns ſuſpected by the Commons:

"courſe (non ignota loquor, it is a known truth) that the "City were weary of the Parliament's tedious proceedings, "& would be ready to join with the King againſt them. "Whether it begat the ſame opinion in the King or not, I Charles miſled. "cannot tell; but certainly ſome conceived ſo, by actions "which immediately followed."

* Remonſtrance from Grocers' Hall Committee. See Clarendon's *Hiſt.* ii. 185.

diſloyal ſuſpicions, nor had ſcrupled to diſcover, in a ſimple excurſion for health and pleaſure, treaſonable motives, and even a poſſible deſign upon the property of the Crown. Yet not a great many days after the events now deſcribed, every one of thoſe ſuſpicions was proved* to have been well-founded; and when at length it was known that ſhe had managed to quit England upon the enterprize of raiſing foreign arms for the King, carrying with her to this end not only her own and the King's jewels, but the jewels of the Crown,† the regret might well be felt, even by moderate men, that the patriots had not put their old miſgivings into force. Conſcious of her own intentions, this was doubtleſs what ſhe had herſelf moſt dreaded; and Clarendon explains the eager violence with which ſhe threw herſelf into the King's project of impeaching the members, by the terror ſhe entertained of their impeaching herſelf. "That "which wrought ſo much upon the Queen's "fears," he ſays,‡ "beſides the general obſer- "vation how the King was betrayed, and how "his rights and power were every day wreſted

Suſpicions proved true.

Clarendon explains her deſire to have the members im- peached:

Abſtraction of the Crown jewels.

* See *Nalson*, ii. 391, for indication that the Commons ſuſpected the deſign againſt the Jewels as early as July 1641.

† Whitelock's *Memorials* (ed. 1853), i. 159; and ſee Hallam, *Conſt. Hiſt.* ii. 139. Mr. Hallam is infinitely moderate and cautious in dealing with theſe paſſages of our hiſtory, but he admits, in a note to the paſſage juſt referred to, that the Queen's intended journey to Spa in July 1641, which was given up at the remonſtrance of Parliament, was highly ſuſpicious.

‡ *Hiſt.* ii. 231.

" from him, was an advertiſement that ſhe
" had received of a deſign in the prevalent
" party to have accuſed her Majeſty of high
" treaſon; of which, without doubt, there had
" been ſome diſcourſe in their moſt private
" cabals, and, I am perſuaded, was imparted
" to her upon deſign, and by connivance (for
" there were ſome incorporated into that
" faction who exactly knew her nature, paſ-
" ſions, and infirmities), that the diſdain of it
" might tranſport her to ſomewhat which
" might give them advantage. And ſhortly
" after that diſcovery to her Majeſty, thoſe
" perſons before mentioned were accuſed of
" high treaſon."

To ſave herſelf from impeachment.

The perſon here more particularly pointed at as having played out, apparently on both ſides, the double intrigue of friend and of betrayer, was undoubtedly Lady Carliſle, now in daily intercourſe with Pym and Lord Kimbolton, and herſelf a chief actor alſo in the ſcene about to be related. Without raiſing the queſtion whether it might not have been even with herſelf for "meſſenger" that the Queen and King had lately made the overture to Pym which was meant to enſnare him from his party, it does not admit of controverſy that this ſtrong-willed woman, by far the moſt generous and the moſt conſtant of all the friends of Strafford, and for that reaſon ſtill in acceptance and reputation at Court,

Lucy, Counteſs of Carliſle.

Her daily intercourſe with Pym and Kimbolton;

after Strafford's death.

had been, ever. ſince the King's ſurrender of his great Miniſter, deep in the ſecret counſels and confidence of Pym and his friends, and had done them moſt material ſervices. Clarendon's firſt editors ſuppreſſed the paſſage in which he dwells explicitly on the evil ſhe wrought againſt her quaſi-friends at Court: but it may properly here be reproduced. The hiſtorian is cloſing a ſort of ſumming up of the adverſe circumſtances with which Charles the Firſt at this time had to contend. "And laſtly, "which, it may be, made all the reſt worſe, the "Counteſs of Carliſle, who was moſt obliged "and truſted by the Queen, and had been for "her eminent and conſtant affection to the "Earl of Strafford admitted to all the con-"ſultations which were for his preſervation, "and privy to all the reſentments had been "on his behalf, and ſo could not but remember "many ſharp ſayings uttered in that time, was "become a confidant in thoſe counſels, and "diſcovered whatſoever ſhe had been truſted "with."* So did Clarendon, out of his ſimple obſervation and knowledge of humanity, and without reproach to the Counteſs for ſo avenging a bitter wrong, ſufficiently explain, as it ſeems to me, the ſudden tranſfer of Lady Carliſle's allegiance from Strafford's falſe friends to his open enemies. In that way,

Retribution for betrayal of her friend:

Betrays the Court to the Commons:

Her conduct explained by her character.

* Clarendon, *Hiſt.* ii. 603-604.

not unnaturally, might ſo vehement and impetuous a ſpirit reſent his betrayal; it is to be remembered alſo that her brother, the Earl of Northumberland, had by this time, after a far leſs conſtant and generous devotion to Strafford, changed ſides from the Court to the Parliament; and there is certainly not the ſhadow of a ground for the imputation which ſo many grave hiſtorians have ſince repeated on the authority of a jeſting remark by Sir Philip Warwick,* that this mature lady of

Her brother Northumberland.

Sir Philip Warwick's ſcandal.

* The paſſage is worth quoting as written by one who paſſed much time in very intimate perſonal attendance on the King, becauſe the only regret expreſſed in it with regard to the attempt of the 4th January is that it was made too late: "In Scotland having learnt the confederacies againſt him, "and the intelligence ſome of our great members had held "with the ambaſſadors of foreign princes, particularly the "French, and ſomewhat of the depth of their deſigns, he was "forced to reſolve to accuſe ſome members of both Houſes "of treaſon; but too late, God knows: enough to ſhow, "that when Princes will long put off their dangers by "unreaſonable conceſſions, they do not divert their hazard, "but run into it. And now tho' he reſolves to proceed "againſt theſe members by a due proceſſe in law, & accuſe "them firſt in the Lords houſe by his Attorney Generall, "and then in the Houſe of Commons by himſelfe (both "Houſes having ever allowed that no priviledge of parliament could by any ſingle member of either Houſe be pretended unto in the caſe of treaſon, felony, or breach of "peace), yet his coming to the Lower Houſe being betrayed "by that buſy ſtateſwoman the Counteſs of Carliſle (who had "now changed her gallant from Strafford to Mr. Pym, "and was become ſuch a ſhe-Saint that ſhe frequented their "ſermons and took notes), he loſt the opportunity of ſeizing "their perſons" &c. &c. *Memoires* (ed. 1702), p. 204. While I am bound to ſtate my conviction that the imputation which would give to Lady Carliſle the great Puritan leader for her gallant, is without a ſhadow of other teſtimony to ſupport it, I need not conceal the fact that the Royaliſt libellers kept a well ſupplied armoury of weapons of this kind, which any

A Courtier's view of the Impeachment and arreſt.

Buſy ſtateſwoman become ſhe-ſaint.

more than forty years of age, who had been twenty years a wife* and five a widow, had now

No ground for Warwick's libel.

Royaliſt writer was ſure to find always ready to his hand. Pym's free living and gallantries were an untiring theme. From the *New Diurnall*, or from *The Senſe of the Houſe*, or from *Reaſons againſt Accommodation*, I could furniſh abundant inſtances, but they are not always quotable. One of the more ſcholarly of theſe reckleſs penmen had invented even a Latin ſong which went by Pym's name, and ſupplied material for infinite libels by way of anſwer.

I wonder one ſo old, ſo grave,
Should yet ſuch youth, ſuch lightneſſe have.
* * * *
Thou mayſt as ſoon turn Turk as king;
And that, oh that's the tempting thing—
That thou mayſt glut thine appetite
With a ſeraglio of delight!

Pym's unpuritanic manners.

Occaſionally, however, even a Royaliſt libeller is under ſome influence which gives him pauſe in his career of ſlander, and his charge againſt the great leader reſolves itſelf, at ſuch times, into what may poſſibly have originated the whole of this fruitful theme of unſcrupulous wit—Pym's free unpuritanical manners, and flowing courteſy to women, repeatedly noticed by contemporaries. Take an example from *Lines to a Lady:*

Then go, fair lady, follow him;
Fear no trumpet, fear no drum,
Fair women may prevail with Pym,
And one ſweet ſmile when there you come
Will quickly ſtrike the Speaker dumb.

"Roundhead" explained by Baxter.

Let me add that when Baxter, in a well-known paſſage of his *Narrative* (p. 34), repreſents the Queen, in Pym's preſence, aſking who that round-headed man was (which, by the way, ſhe is not at all likely to have done, for there is ample evidence that his perſon was well-known both to Queen and King long before the Strafford trial), the reader muſt yet not ſuppoſe her to have meant by the phraſe that he was what is called cloſe-cut or crop-eared. In that ſenſe it would not be more applicable to Pym and Hampden than to Hopton and Rupert. The remark of Baxter may be given for its illuſtra-

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* She was married to Lord Hay, afterwards Earl of Carliſle, in the autumn of 1617.

changed her "gallant" from Strafford to Pym. One of the King's phyſicians, Doctor Bates, in his *Riſe and Progreſs of the Troubles*, is not diſpoſed to be more complimentary to her than Sir Philip was; but at leaſt he keeps more within the probabilities when he aſcribes her conduct to a willingneſs now to ſet off her wit, as formerly ſhe had done her beauty, the gifts of different ages, amongſt the Parliament men. This writer, a partizan of Charles the Firſt, though he did not decline, during the Protectorate, to preſcribe for Cromwell, alſo diſtinctly declares, in that portion of his *Elenchus Motuum* which was written and printed before the Reſtoration, that it was "by the advice of ſome of his Privy Council "who were themſelves members of the "Houſe,"* that the King, finding the Commons reſolute not to deliver up their members on legal charge, went himſelf the next morning to arreſt them.

A ſuggeſtion more probable.

Doctor Bates.

Privy Councillors ſaid to have adviſed the King.

Of a different complexion from his ſtatement, though not neceſſarily at variance with it, is the ſcene that waits to be deſcribed from Coke's Manuſcript, preſerved by Archetil

tion of the ſubject treated ante, 63. He is ſpeaking of the word *Roundhead*. "The original of which name is not certainly "known. Some ſay it was becauſe the Puritans then commonly wore ſhort hair, and the King's party long hair: "ſome ſay it was becauſe the Queen at Strafford's trial aſked "who that round-headed man was, meaning Pym, becauſe he "ſpake ſo ſtrongly."

"That round-headed man."

* Ed. 1685; p. 34.

King and Queen on the night of the 3rd January:

Grey. A long and very paſſionate debate had paſſed in the royal chamber on the night of the fruitleſs attempt of the Attorney-General, the Queen taking prominent part therein; and it had ended, according to this account, in the ſettled reſolve that Charles would himſelf demand the members next morning. But his heart failed him when the morning came. He went to the Queen's apartments early, and, finding Lady Carliſle with her, took her Majeſty into her cloſet, and there, having put to her all the hazards of the attempt, and all its poſſible conſequences, declared that he muſt abandon it. Whereat the Queen, no longer able to contain her paſſion, violently burſt out, "Allez, poltron! Go, pull theſe "rogues out by the eärs, ou ne me revoyez "jamais!" Without replying the King left the room. The anecdote is certainly not in any reſpect reliable, if accepted ſtrictly in this form; but it ſeems to favor the ſuppoſition of ſome admixture of truth in it, though miſdated as well as miſſtated, that Madame de Motteville ſhould unconſciouſly have given us in her Memoirs a ſort of ſequel to it. She deſcribes the Queen, while waiting in her cloſet, with vehement expectation, rejoined by Lady Carliſle. In a previous paſſage ſhe had dwelt upon Charles's leave-taking hardly an hour before, not in ſilence indeed, as Coke reports, but with a haſty promiſe to Henrietta

On the morning of the 4th.

Lady Carliſle cloſeted with the Queen.

that if ſhe found one hour elapſe without hearing ill news of him, ſhe would ſee him, when he returned, maſter of his kingdom. With impatient dread ſhe had ſince paſſed that interval of ſuſpenſe, and now, on Lady Carliſle's ſudden entrance, thinking the hour was paſt and the ſtroke made not miſſed, ſhe exclaimed to her friend, "Rejoice! for I hope that the King "is now maſter in his States, and that Pym "and his confederates are in cuſtody." She had told the triumph of her hate too early to prevent Lady Carliſle from making it the triumph of her own. Within an hour from that time, adds Madame de Motteville, Pym knew what was to be done that day.

The one hour.

Queen betrays her ſecret.

Lady Carliſle betrays the Queen.

§ xv. Council of the Night of the 3rd of January.

The nature of the debate of the preceding night, the number who were preſent at it, and the character of thoſe who took active part in it, remain ſtill matters of doubt to us. Was it a meeting of the King and Queen with the Queen's friends only, with Lord Digby, the French Ambaſſador, and William Murray* of the Bed-Chamber, as Clarendon would have us believe; or was it one at which, or immediately preceding which, the King had conſulted with thoſe of his Privy Council who

The night's debate:

Who were preſent?

* "Littel Vil Murry," as the Queen calls him in her letters.

were alſo members of the Houſe of Commons, in other words with Sir Edward Nicholas, Culpeper, and Falkland, as Doctor Bates diſtinctly avers? When Sir Arthur Haſelrig, himſelf one of the accuſed, recalled the circumſtances ſixteen years later, in one of the Parliaments of the Protectorate, it is remarkable that in what he ſaid, after expreſſing his thanks to God that through the timely notice given by the kindneſs of that great lady, the Lady Carliſle, bloodſhed had been prevented, he ſeems at once both to confirm the ſubſtance of Sir William Coke's ſtory, and to make it much more probable by changing the time alleged for it, while he leaves it compatible with either ſuppoſition as to the character of the previous night's meeting. On the King's "return," he ſaid, "the "Queen raged and gave him an unhandſome "name, poltroon, for that he did not take "others out; and certain, if he had, they "would have been killed at the door."* On the other hand, when Hobbes ſpeaks, in his *Behemoth*, of the long ſubſequent altercations between the Parliament and the King, and ſays that the perſiſtent demand of the Houſe of Commons, that the King ſhould declare who were the perſons that adviſed him to go, as he did, to the Parliament Houſe to apprehend them, had for it no other motive than

Teſtimony of Sir Arthur Haſelrig.

Gratitude to Lady Carliſle.

Rage of the Queen.

What philoſopher Hobbes ſays.

* Burton's *Diary of the Parliaments of Cromwell*, iii. 93. Haſelrig's ſpeech was delivered on the 7th February, 1658-9.

" to ſtick upon his Majeſty the diſhonour of " deſerting his friends and betraying them " to his enemies,"* he diſtinctly ſanctions the aſſertion of Bates that the act was neither unpremeditated by the King nor unadviſed by his counſellors.†

Direction in which to look for motives and objects of attempt of 4th January.

Perhaps the queſtion, which muſt after all be left to a careful and impartial judgment upon the attendant circumſtances, may receive its not leaſt important illuſtration from conſidering all that was involved in that chance of a fatal iſſue, with ſuch emphaſis referred to by Haſelrig. The turning point of the caſe is probably there; and in what the undertaking included beyond its oſtenſible pretences, its real key or ſolution may be found. It is uſual to treat the attempt which the King was now about to make, as an act of raſhneſs far tranſcending in its danger that which already through his Attorney General he had made, and far ſurpaſſing in its folly all his other acts of ſtate ſince his return; as an undertaking which he never could have dared to ſubmit to any of his adviſers, and

Not ſo raſh as ſuppoſed.

* The truth was, as the hiſtorian May has pointed out (lib. 2, cap. 2, p. 25), that in this demand the Houſe was thoroughly juſtified and perfectly regular; " the law in two " ſeveral ſtatutes providing that if in time of Parliament the " King accuſe a member of the ſame of what crime ſoever, " he ought to ſignify to the Parliament who were the " informers."

Demand for names of King's adviſers.

† Hobbes in the ſame tone and ſpirit adds: " The King " waved the proſecution of the 5 members, but denied to " make known to them the names of thoſe who had adviſed " him to come in perſon to the Houſe of Commons to " demand them."

an adventure which neceſſarily he muſt have undertaken, if at all, on his undivided reſponſibility. But does this view take ſufficiently into account the antecedent circumſtances, the challenge flung down to the Houſes, the continued exaſperation of the Citizens, and the poſition in which, amid a population already ſo dangerouſly excited, the failure of the firſt day's enterpriſe had left the King? There are occaſions when what would ordinarily be the madneſs of deſpair becomes a courage only equal to the occaſion. All the dangers involved in a deliberate attack on the privileges of the Houſe of Commons, and the perſons of its leaders, had now been incurred. The challenge thrown down had been promptly taken up, and from it, to a viſion leſs narrow and obſtinate than the King's, there might well ſeem no poſſible retreat, conſiſtent with dignity or ſafety. Let it be aſſumed, as an act of juſtice to Charles the Firſt, that he honeſtly believed himſelf to be in poſſeſſion of evidence, which, before ſuch a tribunal as might be obtained to try them, would bring the accuſed members certainly within the penalties of treaſon. Hyde profeſſes that he had no doubt of it; and neither, it is probable, had Culpeper or Falkland.* But, on the other hand, the reſo-

Poſition of the King after failure of attempt of the 3rd January.

Challenge taken up by the Commons.

Difficulty of retreat.

Alleged evidence to ſupport the charge.

* He is ſpeaking, in another paſſage, of the fears entertained by himſelf and them that the attempted arreſt might prove a diſadvantage to the King's affairs. "Not that they "thought the gentlemen accuſed, leſs guilty; for their

lute determination of the Houſe to protect its members interpoſed an inſuperable difficulty, and at once made painfully apparent that a falſe ſtep had been taken. This, if at all to be retrieved, it was now not poſſible to retrieve by any proceeding within the limits of the law. Five Commoners had been accuſed of treaſon before a tribunal which had not the ſhadow of a juriſdiction to try them; and the forms of the grand jury, which for centuries had ſhielded and protected the Engliſh ſubject, had given place to a lawleſs exerciſe of the moſt hateful of all the proceſſes of law and of prerogative, an Attorney-General's Ex-officio upon the information of the King. Could anything now ſuggeſted to meet ſuch a criſis be in effect worſe, whether by failure or ſucceſs, than what had thus directly occaſioned it?

False ſtep irretrievable within limits of law.

Nature of the act already committed.

These were the circumſtances in which, on the night of the 3rd of January, we muſt aſſume the idea to have been ſtarted, that,

One way to recover ground:

"extreme diſhoneſt arts in the Houſe were ſo viſible, that nothing could have been laid to their charge incredible: but the going through with it was a matter of ſo great difficulty and concernment, that every circumſtance ought to have been fully deliberated, and the ſeveral parts diſpenſed into ſuch hands, as would not have ſhaken in the execution. . . . . If the choice had been better made, and the ſeveral perſons firſt apprehended, & put into diſtinct cloſe cuſtodies, that neither anybody elſe ſhould have heard from them, nor they one from another, all which had not been very difficult, the high ſpirit of both Houſes might poſſibly have been ſo dejected, that they might have been treated withal." *Hiſt.* ii. 183-4.

What Clarendon thought of the King's proceeding. What he would have done himſelf.

ſtrong in the juſtice of a caſe to which the ſubtleties and niceties of law were no longer applicable, the King ſhould go with the armed attendants of his new Court of Guard (provided for that ſpecial occaſion, men afterwards ſaid) to the Houſe next morning, and himſelf demand the members to be given up to him. Objection might be made that this would be but the repetition, in an exaggerated form, of what had failed that day: but the obvious anſwer, that, in the event of ſuch reſiſtance being repeated, means of counter-reſiſtance were provided, gives its diſtinctive character to what the King now deſigned. If bloodſhed followed upon violence, the reſponſibility would reſt with thoſe who provoked it: nor is it poſſible to doubt, that, but for Lady Carliſle's interference, ſuch muſt have been the iſſue raiſed. The whole of the occurrences of the paſt three weeks had gone altogether in the ſame direction; and we have ſeen that merely on the view of what was paſſing from day to day, a terror and foreboding of calamity was in the hearts of the moſt moderate men. It was hardly a time when even the thought of ſuch an act as the King was about to undertake could have ariſen, unaccompanied by the previſion of ſome conſequences ſure to follow, of which the weight or levity would wholly turn upon the degree of confidence or fear already inſpired by the conduct of the people. But when

Renewal of attempt with means to enforce it.

Foiled only by Lady Carliſle's warning.

Idea of reſiſtance inſeparable from propoſed attempt.

fear was wiſdom, Charles the Firſt had no fear. We ſhall find that he ſtill to this hour, and beyond it, blindly relied on the City as under the control of its loyal Chief Magiſtrate. He confeſſed afterwards his miſtake in having been induced to believe that the Houſe of Commons had now ceaſed to be popular. Armed bravos and ſoldiers of fortune had unpuniſhed drawn their ſwords on the people, and "chaſed" and hunted them in the public ways. And why not complete, at the Houſe itſelf, what in the ſtreets had been thus begun?

The King incapable of a wiſe fear.

The change of poſition taken up by the accuſed members on the ſecond day, bears out this view of the caſe, and ſanctions the belief that the iſſue ſought to be raiſed was, and could be, no other than one of violence.*

The iſſue raiſed, one of violence:

The Houſe of Commons withdrew its members at the approach of the King, not becauſe it feared the King more than it feared his Attorney-General or his Serjeant-at-Arms, but becauſe of the danger of a colliſion with

reaſon why the Houſe withdrew its members.

* Whitelock ſays (*Memorials* i. 153): "And divers "imagined that if the five members had not received a ſecret "notice from a great court lady, their friend (who overheard "ſome diſcourſe of this intended action, and thereof gave "timely notice to thoſe gentlemen) whereby they got out of "the Houſe juſt before the King came: otherwiſe, it was "believed, that if the King had found them there, and called "in his Guards to have ſeized them, the members of the "Houſe would have endeavoured the defence of them, which "might have proved a very unhappy and ſad buſineſs; and "ſo it did, notwithſtanding that was prevented. This ſudden "action being the firſt viſible & apparent ground of the "enſuing troubles."

Whitelock's view:

Extent of danger prevented by Lady Carliſle.

the armed men who accompanied him. Attention has not been ſufficiently fixed on this part of the caſe. Madame de Motteville tells us that the Queen never ceaſed to reproach herſelf to the laſt day of her life, for having caſually diſcloſed what led to the removal of the members from the Houſe. To have prevented, not the King's attempt, but the poſſibility of violence and bloodſhed in giving effect to it, was to her the moſt bitter reproach. "Never did he treat me for a "moment," ſhe exclaimed, "with leſs kind-"neſs than before it happened, though I had "ruined him." She had ruined him, becauſe unconſciouſly ſhe had cauſed the betrayal of his plan for diſabling or ſtriking down his enemies, in the Houſe where they had mortally aſſailed him by upholding the liberties of his people.

Source of Queen's ſelf-reproach:

not prevention of attempt, but interception of conſequences.

There is no injuſtice to the King in the views here expreſſed. The injuſtice is in treating his ſcheme as a braggart diſplay of force it was never deſigned to uſe. The preparations for it were all too deliberately made to render credible any ſuch belief. It was afterwards clearly proved, and admitted by Charles, that on this 3rd of January means had been taken to fortify Whitehall with a conſiderable acceſs of arms and ammunition. What was hoped, and deſperately planned, to have been done in the City, will ſhortly be revealed upon

Previous preparations:

At Whitehall;

and in the City.

evidence beyond cavil or diſpute. So far back as the previous Friday the 31ſt of December, as will appear hereafter from what D'Ewes reveals to us of evidence given by Captain Langres, orders had been ſent to the officer in command of the Court of Guard at Whitehall to obey "one Sir William Fleming." On this very night while the ſubject was yet in debate, means had been taken to obtain aſſiſtance from the gentlemen of the Inns of Court, who could themſelves furniſh at that time an important military guard, and whom we have already ſeen eager, during the Weſtminſter Hall tumults, to proffer for the King's protection a band of 500 men.* Sir William Killigrew had been

Evidence of Captain Langres.

Aſſiſtance ſought from Inns of Court.

* Ante, 78. I have found curious evidence exiſting in the State Paper Office of the anxiety of the Court to render this force efficient and to ſecure its ſervices in caſe of need. It is a Royal letter to the Benchers of Gray's Inn touching the exerciſe of arms, and is dated at that ſtriking period preceding the diſſolution of the Third Parliament, when, to moſt thinking men, the hope of any final ſettlement without ultimate appeal to arms muſt firſt have begun to appear deſperate. No one who examines the State papers of this time in our National Repoſitory, ſtill untouched by the hiſtorian, can fail to be ſtruck by the change of tone and attitude taken by the people. Thus early the country was on the point of rebellion. Only faith in the leaders of the Houſe of Commons kept it ſtill. Even in a thing which till then had been a mere matter of courſe— the bringing of State priſoners from the Tower to the Courts —days, times, and modes of conveyance had to be ſelected with the niceſt care for avoidance of popular tumults; and whether Eliot and Selden were to be brought by water or by land, on particular occaſions, was matter of anxious deliberation between the Governor of the Tower and the Law Officers of the Crown. The paper to which I have referred, and which has never been printed, is worth ſubjoining in detail. Apart from its ſpecial hiſtorical ſignificance, there may be found in it at the preſent time an intereſt which makes appeal, yet nearer and cloſer, to that ſpirit which ſupplies in all ages a

Inns of Court Volunteer Guard.

A troubled time.

Midſummer, 1828: the country on eve of reſiſtance.

Royal letter to Benchers of Gray's Inn.

Killigrew ſent round with copy of Impeachment.

ſent round to each of the Four Inns with copies of the articles of treaſon, and with ſummons from his Majeſty in each caſe to be in waiting the next morning at Whitehall. A ſimilar courſe had been taken alſo with the Guard at the Palace.

country's only efficient ſafeguard,—the patriotic ardour, the diſciplined valour, and the ſkill in arms of her ſons.

"Truſty and Well Beloved. Wee Greet you well. Con-
" ſidering that theſe times are full of action and danger, true
" religion being now aſſaulted in all parts of Chriſtendome,
Deſire to have all citizens exerciſed in arms.
" our purpoſe is to employ our beſt care to make all our
" ſubjects well prepared by the exerciſe of armes to defend
" the truth and our Kingdomes, and to maintaine the ſafetie
" and honour of Our Nation; and becauſe the voluntary
" example of the gentlemen of the Innes of Court will much
" conduce to that good end, Wee therefore will and require
" you that you doe in our name recommend vnto them the
" exerciſe of Archerie and Armes, inciting and incourageing
" them at theire times of recreation to employ themſelves
" therein, and eſpecially in horſemanſhipp, a commendable
" and noble exerciſe and moſt neceſſarie in all occaſions of
" Warr wherein other Nations have gott the advantage of
Defect to be ſupplied, a want of diſcipline.
" Us. Our greateſt defect is want of diſcipline and Knowledge
" therein: by occaſion thereof the greateſt disorder and con-
" fuſion doe uſually happen in armes. But Wee doe uſually
" referr it to every gentleman to exerciſe, either on horſe or
" foot, what armes ſhall beſt ſort with his owne diſpoſition;
" and Wee will extend our Royall grace and furtherance by
" all fitt waies and meanes to all ſuch as ſhall manifeſt their
" forwardnes in that worke, which will be an honour to
" your Societyes and a worthie example to our Subjects.
Law ſtudents not to neglect ſtudies, but to occupy leiſure and vacations.
" Our meaning is, not that any the Students of our Lawes
" ſhould by this occaſion neglect their ſtudies, but that they
" ſhould change their former exerciſes in time of Vacancie
" and recreations into the moſt uſefull actions for the
" common good and defence of religion, our Royall perſon,
" themſelves, and our countrye. And Wee will that you ſhall
" cauſe theſe Our Letters to be openly read vnto the
" Gentlemen of the Societie, declaring unto them that Our
" care ſhall be duely to encourage and advance all ſuch as
" ſhall well deſerve either by their Studdies or the com-
" mendable Actions Wee now commend unto them. Given
" under our Signet at our Pallace at Weſtminſter the 28 of
" June on the 4th Yeare of our Raigne."

Still, even aſſuming the matter to have been ſo preſented to the new Secretary of State and the two Privy Councillors moſt recently ſworn to adviſe the King, and moſt deeply intereſted in providing for his ultimate ſafety by the advice they gave, all muſt yet be conjecture as to the probable courſe they took. But it is impoſſible to exclude from conſideration the fact, which Clarendon repeatedly admits, that they agreed thoroughly with the King as to the guilt of the accuſed, and never placed on higher grounds than thoſe of "convenience" and expediency their objection to the attempted arreſt.* We are to remember alſo that the objection was not publicly ex-

What the new Miniſters thought of the guilt of the accuſed.

* In the very paſſage where he ventures on the ſtrongeſt expreſſion of doubt and apprehenſion as to the courſe taken by the King (remarking that he and his friends, between grief and anger, were confounded with the conſideration of what had been done and what was like to follow), he nevertheleſs thus continues: "They were far from thinking that "the accuſed members had received much wrong; yet they "thought it an unſeaſonable time to call them to account for "it. That if anything had been to be done of that kind, "there ſhould have been a better choice of the perſons, there "being many of the Houſe of more miſchievous inclinations "and deſigns againſt the King's perſon and the Government, "and were more expoſed to the public prejudice, than the "Lord Mandeville Kimbolton was . . . Then Sir Arthur "Haſelrig and Mr. Strode were perſons of ſo low an account "and eſteem . . . that they gained credit and authority by "being joined with the reſt, who had indeed a great "influence. However, if there was a reſolution to proceed "againſt thoſe men, it would have been much better to have "cauſed them to have been all ſeverally arreſted, and ſent "to the Tower, or to other priſons, which might have been "very eaſily done before ſuſpected, than to ſend in that "manner to the Houſes with that formality which would be "liable to ſo many exceptions."

What Falkland, Culpeper, and Hyde would have done with the Five Members: Seized them ſeparately, and ſent each to a different priſon.

Objection to arreſt only after its failure.

preſſed until after the attempt had iſſued in complete diſaſter; that it was then accompanied by other ſtatements too groſſly at variance with the known facts not neceſſarily to ſubject it to grave ſuſpicion; and that the very perſon on whoſe ſingle aſſurance poſterity has been content to believe it, is the ſame whoſe pen was employed by the King to juſtify the very act objected to. Within a few days after its occurrence, Hyde, replying in the name of Charles to the City petition, vindicates it as "a gentle" proceeding againſt men who had been accuſed on the cleareſt grounds of high treaſon; for that, in ſuch a caſe, as it was notorious that no privilege of Parliament could extend to treaſon, felony, or breach of the peace, and as, in deſpite thereof,* the Houſe

Hyde employed to juſtify it.

Miſrepreſentation of the caſe.

"Gentleneſs" of King's attempt alleged by Clarendon.

An act of favour.

* The anſwer to the City petition will be found in *Hiſt.* ii. 149. "For his going to the Houſe of Commons, when "his attendants were no otherwiſe armed than as gentlemen with ſwords, he was perſwaded, that if they knew "the clear grounds upon which thoſe perſons ſtood accuſed of high treaſon, and [what would be proved againſt "them, with which they ſhould be in due time acquainted, "and conſidered the gentle way he took for their apprehenſion (which he preferred before any courſe of violence, "though that way had been very juſtifiable; ſince it was "notoriouſly known that no privilege of parliament can "extend to treaſon, felony, or breach of the peace), they "would believe his going thither was an act of grace and "favour to that Houſe, and the moſt peaceable way of having "that neceſſary ſervice performed; there being ſuch orders "made for the reſiſtance of what authority ſoever for their "apprehenſion." It is difficult to ſteer through the involutions of theſe ſentences, but to diſcover their drift is not difficult. Somewhat later, when it had ceaſed to be ſafe to urge the guilt of treaſon againſt the accuſed as entirely clear and capable of proof, quite another colour was ſought to be

of Commons had made order for reſiſtance of the apprehenſion of their members againſt all authority whatſoever, "any courſe of violence "had been very juſtifiable."

Let me add that when Clarendon, ſpeaking in his proper perſon,* repeats this argument, and ſtates that the leaders claimed immunity againſt even regular proceedings upon the charge of treaſon, he practiſes largely indeed upon the careleſſneſs or credulity of his readers. "For if," he ſays, "the judges had been "compelled to deliver their opinions in point "of law, which they ought to have been, they "could not have avoided the declaring that "by the known law, which had been confeſſed "in all times and ages, no privilege of Par-"liament could extend in the caſe of treaſon; "but that every Parliament-man was then in "the condition of every other ſubject, and to "be proceeded againſt accordingly."

No privilege claimed againſt treaſon.

Falſe iſſue raiſed.

given to the fatal act. "We put on," Charles is made to ſay, (Huſband, *Coll.* 246) "a ſudden reſolution to try whether "our own preſence, and a clear diſcovery of our intentions, "which haply might not have been ſo well underſtood, could "remove their doubts, and prevent thoſe inconveniences which "ſeemed to have been threatened; and thereupon we reſolved "to go in our own perſon to our Houſe of Commons, which "we diſcovered not till the very minute we were going, the "bare doing of which we did not then conceive could have "been thought a breach of privilege," &c. &c. • William Lily, characteriſing Charles the Firſt's ſtyle, deſcribes exactly that of Clarendon: "He would write his mind ſingularly "well, and in good language and ſtyle; only he loved long "parentheſes." It is ſcarcely neceſſary to add, that, in the inſtances juſt quoted at leaſt, the parentheſes are Clarendon's. —See *Life*, 130-133.

Another ſketch from ſame hand.

The King's ſtyle of writing.

* *Hiſt.* ii. 193.

Indemnity from treaſon never claimed:

He knew perfectly well, when he wrote this paſſage, that the Houſe of Commons had ſolemnly diſclaimed the views and pretenſions here attributed to them; and that the real point, from which he always ſtudiouſly manages to carry off the attention of his readers, turns upon the breach of privilege and groſs breach of all common as well as conſtitutional law, involved, not in charging members of Parliament with treaſon, but in the mode adopted to give effect to ſuch a charge.

Method of proceeding only objected to.

It is ſurely no very harſh aſſumption, ſeeing how ſoon theſe arguments were reſorted to in vindication, that ſome ſuch arguments might alſo have been debated on the memorable night of the 3rd of January, when it is known that Falkland and Culpeper were certainly with the King; when they had been ſworn ſo recently of his Council; and when the queſtion was no longer whether the raſh attempt ſhould be made, but whether it ſhould be wholly abandoned by abandonment of all further authority. That Sir Edward Dering had derived from the new Chancellor of the Exchequer, Sir John Culpeper, his colleague in the repreſentation of Kent, the information that ſhortly before the Chancellorſhip was conferred upon himſelf it had been offered to Pym, ſeems hardly to admit of doubt; and the mere fact of the new miniſters poſſeſſing this information, carries other preſump-

Culpeper's confidence to Dering:

Charles's truſt in his new counſellors.

tions with it inconſiſtent with the notion that they had failed as yet to obtain the real confidence of the King. Such moſt certainly was not the impreſſion at the time. When Clarendon complains that himſelf, Falkland, and Culpeper, could not avoid being looked upon as the authors of thoſe counſels to which they were ſo abſolute ſtrangers, and which they ſo perfectly "deteſted;" when he expreſſes his vexation that they continued to be pointed at as the "contrivers;" he at leaſt exhibits what was a prevailing belief, and one which a partizan and ſervant of the King, in a grave account of the period, has diſtinctly ſanctioned. When, on the other hand, in almoſt the ſame page of his Hiſtory, Clarendon declares that "the three perſons," Falkland, Culpeper, and himſelf, believed in the guilt of the accuſed, and only thought it would have been far better to have cauſed them to have been all ſeverally arreſted and ſent to the Tower or to other priſons (which, he adds, if every circumſtance had been fully deliberated, and the ſeveral parts diſtributed among ſuch hands as would not have ſhaken in the execution, might have been very eaſily done), he ſupplies us with the means of teſting, by a very accurate meaſure, the nature and amount of "deteſtation" with which the King's act had inſpired theſe counſellors of the King. Let Falkland and Culpeper have all the advantage derivable from

Imputation againſt Hyde and his friends.

Believed to be "contrivers" of the arreſt.

Their mode of objecting and denying:

no evidence of "deteſtation" of the deed:

having ſhared, at one and the ſame time, the deteſtation at the ill-doing of it by the King, and the eagerneſs to have had opportunity of doing it better themſelves. The preſent writer at leaſt is convinced that if theſe men were not direct, they were indirect, parties to the deed that now waited to be done. If it failed, the King's caſe could not be more deſperate than already it was become. If it ſucceeded, and the leaders of the Majority in the Houſe of Commons were ſtruck down, intimidation might be left to do its work upon their followers, the Minority which had rallied againſt the Remonſtrance might be gathered and reinforced under leſs troubleſome leaders, and the Engliſh people be led back into bondage by the very power which had effected their deliverance.

but rather proof of indirect participation.

Stake played for and loſt.

§ XVI. Midnight Visit to the City.

Secretary Nicholas conſulting late with the King.

One remarkable incident remains to be deſcribed, which a document in the State Paper Office enables me to eſtabliſh, and which will probably be accepted for irrefragable proof that at leaſt the King was in conſultation with one of his principal Secretaries of State, Sir Edward Nicholas, late in the night of this 3rd January; and that the object of their deliberation muſt have been, beyond all poſſible queſtion, to provide againſt popular

Proviſion againſt tumults next day.

tumults which there was ſpecial reaſon to look for on the following day, and to neutralize any meaſures taken by the Houſe of Commons for defence againſt further and forcible aggreſſion. To what extent the argument in the foregoing ſection receives confirmation from ſuch an occurrence, every reader will be able to judge for himſelf, and will be better able to judge correctly when all its curious circumſtances are told.

and againſt demand of Commons for Guard.

It has been ſeen that one of the laſt acts of the Commons before they broke up their ſitting after the articles of impeachment were preſented, was to ſend Pennington and Ven into the City with a requeſt for a Guard out of the Trained Bands under the immediate order of the Chief Magiſtrate. Upon this being made known to the King, he thought himſelf ſtrong enough to defeat it by a counter warrant to the Lord Mayor, and this was directed to be prepared accordingly. The rough draft of the warrant remains ſtill among the Papers of the State. It is in the handwriting of Under Secretary Bere, and is corrected by Secretary Nicholas himſelf, ſufficing proof of its authenticity. Such proof, indeed, it needed, for it is in its terms very damnatory evidence againſt the King and the King's counſellors. It is an inſtruction to the Chief Magiſtrate of London, not merely to refuſe to the Commons the Guard they had deſired, but in its place to

Order of Houſe for City Train Bands.

Counter-warrant ſigned by the King.

Grave evidence againſt the Court.

enroll ſuch a Guard for the royal ſervice, with order for its immediate employment in ſuppreſſing and diſperſing all tumults, diſorders, and aſſemblages of the people in the ſtreets of the City; and with expreſs inſtruction to it, in caſe perſons ſo aſſembling ſhould refuſe to retire to their houſes peaceably, to fire upon them with loaded bullets.

Order to Train Bands to fire on the Citizens.

Happily for the King, this royal warrant remained *brutum fulmen*, and ſees the light firſt in theſe pages; for, had the attempt been made to enforce it, London would in all probability have witneſſed ſuch a ſcene as muſt then have changed the entire ſubſequent courſe and aim of our Engliſh Revolution. Nor is the cauſe which interpoſed itſelf to prevent the attempt the leaſt ſtriking part of the ſtory. Near the paper as it lies in our National Collection remains alſo the letter of the agent employed by Secretary Nicholas to carry it to Sir Richard Gourney. His inſtructions appear to have been to haſten with it into the City, to ſee the Lord Mayor, to urge upon him the neceſſity of immediately calling the Sheriffs to council (one of whom was known to be as ſtrongly royaliſt as Gourney himſelf), to open and read it in their preſence, and to give directions then and there for carrying it into effect. But the night was farther advanced than in the haſte and eagerneſs had been ſuppoſed. The clocks at Whitehall had not kept good time.

Intercepted and not publiſhed until now.

Why not put in force.

Reached the City too late.

Mr. Latche the meſſenger found the Chief Magiſtrate in bed, and Ven and Pennington had been beforehand with him. In a word the project had failed, happily for all involved in it, moſt happily for the King. It is diſcovered only now, when two centuries have paſſed away, as one of the ſecrets of what might have been hiſtory, that late in the night of the 3rd of January, 1641-2, Charles the Firſt, in deliberation with his principal Secretary of State, had provided, in a certain and too probable contingency, itſelf the reſult of an excitement he was himſelf creating, for the firing with powder and bullet upon aſſemblages of his unarmed ſubjects in the ſtreets of the City of London.

Fortunate accident for the King.

What might have been hiſtory.

Thus ran the warrant: "To the Lord "Maior of London. Right truſty and well-"beloved Counſ^{r}. Wee underſtand that "the House of Comons hath ſent to have "Guard of the trained Bands of that O^{r} "Citty. Foraſmuch as ſome of wch ſaid "Houſe are lately accuſed of high treaſon, "Our will and command is that you take "eſpeciall care that none of Our trained bands "be raiſed wthout ſpeciall warrant from us, "and wee ſhall take in O^{r} royall care that "nothing ſhall be don to the prejudice or "diſturbance of O^{r} ſaid Citty, wch we ſhall "be as vigilant to keepe in quietnes as others "are to engage & put into tumult and

Copy of the warrant.

Reference to Five Members.

" diſorder *] : But in caſe you ſhall find any
" great numbers of people to aſſemble together
" in a tumultuary & diſorderly manner w^th^in
Train Bands called out for the King. " O^r^ ſaid Citty or the liberties thereof, Our
" will and command is that you then cauſe ſoe
" many of O^r^ trained bands to be raiſed as you
" ſhall thinke fitt, well armed and provided,
" and that you give order to ſuppreſſe all ſuch
" tumults and diſorders, and if they ſhall find
All gatherings of Citizens to diſperſe: " reſiſtance, and that the perſons ſoe aſſembled
" ſhall refuſe to retire to their houſes peace-
" ably, or to render y^m^ſelves into the handes of
" juſtice, that then, for the better keeping of the
" peace, and preventing of further miſcheefes,
" you comand the Cap^ts^, Officers, and Souldiers
On refuſal to be fired upon. " of our ſaid trained bands, by ſhooting with
" bullets, or otherwayes, to ſuppreſſe thoſe
" tumults, & deſtroy ſuch of them as ſhall
" perſiſt in their tumultuous wayes and diſ-
" orders: For which this ſhall be yor warrant.
" Given, &c. 3rd Jan. 1641."

And thus runs the letter which announced to Secretary Nicholas the failure of a miſſion which ſo temperate and diſcreet a miniſter muſt in his heart have wholly diſapproved. It is
Letter of Nicholas's agent. addreſſed " To the Rt. Honorable Sir Edward
" Nicholas, Kn^t^. Principal Secretary to his
" Matie att Court. Preſent theſe: " and is endorſed in cipher by Sir Edward himſelf.

* The words in Brackets are interlined in the handwriting of Nicholas.

" Right Honorable,

" The Clocks att Whitehall laſt night went Whitehall clocks behind the time.
" to late. The nighte was further ſpent than
" they ſhewed. My Lo. Major was in his
" bedd before I came thither. Yet I ſpake
" wth him & delivered the Letter: this
" morning he will call the ſheriffs to him &
" open it. This encloſed is a copie of the Anticipated by deputation from Commons.
" Order of the Houſe wch was brought unto
" him by Alderman Pennington and Captn
" Venn, who did much enlarge themſelves in
" diſcourſe thereupon, intimating great feares,
" but kept themſelves in ſuch generall termes,
" as the Order is, that their meanings were not
" eaſilie to be known. I was till One of the Paſt midnight at the Tower.
" clock aboute the Tower, and found all
" places very well guarded, & the tumultuous
" rout diſperſed. If the King upon ſight of
" this Order ſhall direct anything otherwiſe
" than laſt night, my man ſhall attend to
" receive yor comaunds & bring it *privatly*
" to me. In the meanetime I ſhall this morn-
" ing purſue yeſterday nighte's direction, and Any further *private* commands?
" then attend you wth an Account of my pro-
" ceedings who ſhall and [ever] remaine

" Yr humble ſervant

" *Strand 4th Jan.* 1641." " JOHN LATCHE."

Doubtleſs much was left unſaid in that letter, but what is ſaid leaves it ſufficiently clear that the members for London had in-

Inferences from agent's letter.

ſpired the Lord Mayor with a ſalutary general fear, which they were careful not to weaken by a too great explicitneſs. So the Court emiſſary was fain to betake himſelf to the Tower, to ſee at leaſt that the Guards were all duly ſet and maintained about the great fortreſs. But why all this myſtery and anxiety, why theſe untimely viſits and alarms, if there were not expected to ariſe upon that January midnight a morning fraught with iſſues for good or ill of an unuſual and important nature?

Preparations for the morrow.

Nor did it indeed fall ſhort of ſuch expectation. As much as any day in the long courſe of our varied and noble hiſtory, did this memorable day of the 4th of January, 1641-2, contribute to turn the balance of events in favor of popular freedom.

Memorable day.

§ XVII. Morning of the 4th of January.

Houſe of Commons: Falkland reports King's meſſage.

It was early in the morning when D'Ewes entered the Houſe; but Lord Falkland had already reported the King's reply to their meſſage of the preceding night, to the effect that he would ſend an anſwer that morning before the Houſe was ſet. Still the anſwer was delayed, and, ſhortly after, D'Ewes took his ſeat. Mr. Alexander Rigby, the member for Wigan, a lawyer of Gray's Inn who afterwards ſat upon the trial of the King, then roſe and

made ſome ſignificant comments on his Majeſty's promiſed anſwer, in connection with certain meſſages which he alleged to have been ſent round to the Inns of Court on the previous night, with copies of the articles of impeachment, and with injunctions to the gentlemen there "to be in "readineſs this day to attend at Whitehall, "and to be ready at an hour's warning to "defend his Majeſty's perſon." * Mr. Rigby cloſed with a motion, which was adopted, that four members of that Houſe, alſo members of the Inns, ſhould on the inſtant proceed thither, and aſcertain the facts by perſonal inquiry.

Motion as to King's tampering with Inns of Court.

Four members ſent to the Four Inns.

Then, purſuant to the Order of the previous day, the Houſe turned itſelf into a Grand Committee; and Pym, with the articles of treaſon in his hand, aroſe. He read the charges

Grand Committee.

* *Harl. MSS.* 162, f. 304 b. Ludlow has a characteriſtic anecdote and illuſtration in his *Memoirs*, (i. 21-22): "The "King, finding that nothing leſs would ſatiſfy the Parl[t] than "a thorow correction of what was amiſs, & full ſecurity of "their rights from any violation for the future, conſidered "how to put a ſtop to their Proceedings: & to that end "encouraged a great number of looſe debauched fellows "about the town to repair to Whitehall, where a conſtant "table was provided for their entertainment. Many gentle-"men of the Inns of Court were tamper'd with to aſſiſt him "in his deſign, and things brought to that paſs that one of "them ſaid publicly in my hearing—'What! ſhall we "'ſuffer theſe fellows at Weſtminſter to domineer thus? "'Let us go into the country, and bring up our tenants to "'pull them out.' Which words not being able to bear, "I queſtioned him for them; and he, either out of fear of "the public juſtice, or of my reſentment, came to me the "next morning, and aſked pardon for the ſame: which, by "reaſon of his youth & want of experience, I paſſed by."

The table at Whitehall for gentlemen of Inns of Court.

A violent young lawyer.

ſucceſſively, admitting frankly that they eſtabliſhed treaſon if proved: but he ſo repeated them, to that eager and excited audience, as with the higheſt art of the orator to ſtrike heavily againſt the Court itſelf with the very weapons aimed at the accuſed. "True, Mr. "Speaker," he ſaid, "this preſent Parliament "hath adjudged it treaſon to endeavour to "ſubvert the fundamental laws of the land." No one could miſtake that alluſion. "Sir, "it hath likewiſe been voted high treaſon to "attempt to introduce into this kingdom a "form of government arbitrary and tyrannical." In what particular ſeries of acts of State and of Council, ſuch attempt conſiſted, the Remonſtrance had lately ſpread and diffuſed all over the land. "Sir," he added, pauſing at the third article which charged upon them the attempt to win over the King's Northern army to themſelves, and ſo pointedly rewording it as to bring plainly before the Houſe the recent proved conſpiracy of the King's ſervants to overawe the deliberations of Parliament by means of that very army, "Sir, it is un-"doubtedly treaſon to raiſe an army to com-"pel any Parliament to make and enact laws "without their free votes and willing pro-"ceedings therein." A cry of ſtern ſatisfaction broke forth, as the orator ſo proceeded through each of the charges of treaſon.

Pym replies to articles of treaſon.

Alluſion to Strafford.

Charge of bringing over the army to the Parliament:

Leſs treaſonable than overawing Parliament by army.

Then, ſtill earneſtly declaring that each, if

eſtabliſhed, might well juſtify the laſt penalties of its high offence, with a ſingular vividneſs he confronted it with the comment of the particular conduct in Parliament to which alone, in his own caſe, it could poſſibly apply. With ſevere ſimplicity he confined himſelf to the parallel in each inſtance, and he employed not an unneceſſary phraſe or word. Thus, as to the ſecond article, he ſaid, that if by free vote to join with the Parliament in publiſhing a Remonſtrance againſt delinquents in the State; againſt incendiaries between his Majeſty and his kingdom; againſt ill-counſellors, who labored to avert his Majeſty's affection from Parliament; and againſt ill-affected Biſhops for their innovations in religion, their oppreſſion of painful, learned, and godly miniſters, their vexatious ſuits in their unjuſt courts, their cruel ſentences of pillory and mutilation, their great fines, baniſhments, and perpetual impriſonments—if *that* were to caſt aſperſions upon his Majeſty and his government, and to alienate the hearts of his loyal ſubjects, good Proteſtants and well-affected in religion, from their due obedience to his Royal Majeſty, then did he avow himſelf guilty of that article. If it were to levy arms againſt the King, he continued, to conſent by vote with the Parliament to raiſe a Guard of Trained Bands to ſecure and defend the perſons of the members thereof, being environed and beſet with many

Compariſons invited.

Avows publication of Remonſtrance.

Accepts the guilt and reſponſibility.

As to charge of levying arms againſt King.

Apprehending delinquents.

dangers, then was he guilty alſo of that act of treaſon. And further, if it were to be a traitor, to agree with the chief Council of the State in apprehending and attaching as delinquents ſuch perſons as they knew to be diſaffected to the King's crown and dignity, to his wife and great Council of Parliament, to the pure and ſimple doctrine of Chriſt, to the true and orthodox government of the Church of England as eſtabliſhed and confirmed by many Acts of Parliament in the reigns of Henry, Edward, and Elizabeth Tudor, and of King James of bleſſed memory, in that reſpect alſo he avowed himſelf to be guilty.

Guilty of defending Chriſt's doctrine and orthodox church government.

Then, in concluſion, having thus ſeparately contraſted, under the ſeven ſeveral heads of treaſon, his actions with the accuſations againſt him, Pym craved of the Houſe that it ſhould further weigh both reſpectively in the even ſcales of its wiſdom, and he doubted not of being found altogether clear of the crimes laid to his charge. He was reſuming his ſeat amid loud ſhouts of "Well moved," "Well moved," when he ſtopped a moment, again advanced towards the Clerk's table, and, while a ſudden ſilence fell upon the Houſe, humbly craved Mr. Speaker's further patience to offer to his conſideration, whether to exhibit articles of treaſon by his Majeſty's own hands in that Houſe agreed with the rights and privileges thereof; and whether for an armed Guard to

Judgment deſired from the Houſe.

"Well moved."

A further and ominous queſtion.

beſet the doors of the Houſe during ſuch accuſation of any of the members thereof, were not a grave breach of the privilege of Parliament? The laſt queſtion had a pregnant meaning on the morning of this eventful day, but its full ſignificance was ſtill to come. Has not breach of privilege been committed?

Upon Pym reſuming his ſeat, Hollis, Haſelrig, and Strode roſe afterwards in ſucceſſion, and in the brief phraſe of D'Ewes, "proteſted "their innocency." Strode further declared his belief that the Impeachment was not directed againſt them upon any ſuppoſition of their being really guilty of the matters charged, but merely to compel their abſence from debate; and he warned the Houſe, that if, under pretence of trial, they were to be arreſted and taken thence, they would never be proceeded againſt legally, but be ſimply by force cut off. Haſelrig alone expreſſly avowed that he was conſcious of that part of the charge on which the King ſolely relied for any veſtige of evidence in proof of it. After declaring that anything in the nature of a hoſtile attack aimed againſt the privileges of Parliament, conſtituted one of the worſt kinds of treaſon, or of attempts to ſubvert the fundamental laws, he averred that his acts, and thoſe of the gentlemen with him, *particularly with reference to Scotland*, had been in perfect accordance, upon every occaſion, with votes and reſolutions of that Houſe; and that the charge

Hollis, Haſelrig, and Strode defend themſelves.

Strode's ſpeech.

Haſelrig's ſpeech.

Haſelrig's reference to Scottiſh treaſon.

of promoting tumults and inſurrection was utterly groundleſs.

Hampden ſpeaks.

Hampden next aroſe. His ſpeech was more ſtriking; it was indeed ſingularly impreſſive; and in the fragment aſcertainable yet of what actually was ſaid by the member for Bucks, there is aſſuredly nothing that in any way confirms or countenances thoſe manifeſt interpolations in the publiſhed ſpeech attributed to him which led Mr. Southey to characterize it as an avowal of ſlaviſh obedience! It might, on the contrary, almoſt ſeem as though his tone were expreſſly aſſumed to render impoſſible any ſuch imputation. As if, in a ſingle ſentence, he would anticipate and overthrow the whole miſerable doctrine of Sir Robert Filmer and his followers, Hampden at once declared to the Houſe, on riſing, that he underſtood it to be the ſign of an ill and a diſloyal ſubject, if a man ſhould yield obedience to the commands of a King when theſe were againſt the true religion and againſt the ancient and fundamental laws of the land; whereas a good and a loyal ſubject was he, who, to a King commanding anything againſt God's true worſhip and religion, or againſt the ancient laws, denied obedience. One ſeems to hear that calm, clear voice, troubled and ſhaken with a paſſion to which it was unaccuſtomed, in this plain aſſertion of the doctrine of Reſiſtance.

Juſtifies reſiſtance.

Ill and diſloyal, good and loyal, ſubjects.

Unaccuſtomed emotion.

But what, then, was the true religion? I

find it, ſaid Hampden, in my Bible. "By ſearching the ſacred writings of the New and Old Teſtament, we may prove whether our religion be of God or no, and by looking in that glaſs diſcern whether we are in the right way or no. In theſe two Teſtaments are contained all things neceſſary to ſalvation; and then only is our religion true, when that it doth hang upon this truth of God, and no other ſecondary means. Neareſt thereunto cometh the Proteſtant religion, as I really and verily believe; teaching us that there is but one God, one Chriſt, one faith, one religion, which is the Goſpel of Chriſt and the doctrine of His prophets and apoſtles. That other religion, therefore, which joineth with this doctrine of Church and His apoſtles the traditions and inventions of men, ſtrange and ſuperſtitious worſhipings, prayers to the Virgin Mary, to angels, and to ſaints, cringing and bowing and creeping to the altar, cannot, I ſay, be true, but is erroneous, nay deviliſh. All which being uſed and maintained in the Church of Rome to be as neceſſary as the Scripture to ſalvation, that Church is therefore a falſe and erroneous Church, both in doctrine and diſcipline—a falſe worſhiping of God, and not the true religion."

Where Hampden looked for true religion.

The two Teſtaments.

The Proteſtant Church true.

Bible alone needful to ſalvation.

Traditions and ſuperſtitions deviliſh.

The Romiſh Church falſe.

Very ſolemn and memorable words to have been ſpoken on ſuch an occaſion, containing in

A creed to live by and die for.

themſelves, and promulgating for all, not merely a creed that men may live by, but a belief they will cheerfully die for. It is given to few among the ſons of men to ſee the future in the inſtant, but Hampden was of the few. His manner at this eventful time, too, gave added weight to his words, which appear leſs to have impreſſed the lighter members and Royaliſts, indeed, this particular day, than the ſudden and deciſive change in the look and tone of him who uttered them. The mildneſs had for ever paſſed away. A fixed and ſtern reſolution had replaced the old conciliatory bearing, and now truly might his enemies ſee, what Sir Philip Warwick tells us the ſcurf commonly on his face ſhowed plainly enough,* that beneath the quiet and ſeeming paſſionleſs ſelf-control which he was able ordinarily to aſſume, lay a very ſharp and acrimonious temper of the blood.

Hampden's change of bearing.

Secrets of his character revealed.

Waiting his time.

They might have diſcovered or ſuſpected it before. If Hampden had not until now aſſumed this uncompromiſing tone, if he had not earlier ſpoken thus, it was ſimply that before now the need had not ſhown itſelf, and the time for ſo ſpeaking had not come. Clarendon charges him with begetting many notions the education of which he committed to

Charges by Hyde and D'Ewes.

* In ſpeaking of his death at Chalgrove. The hurt, Sir Philip ſays, was not in itſelf mortal; but it was rendered ſo by the acrimonious condition of his blood, "as the ſcurfe "commonly on his face ſhewed."—*Memoirs*, 239.

other men, and with leaving his own opinions with thoſe from whom he pretended to learn and receive them.* D'Ewes attributes to him a "ſerpentine ſubtlety" which brought anything to paſs that he deſired, and "did ſtill put "others to move thoſe buſineſſes that himſelf "contrived."† But theſe, as on a former occaſion has been pointed out, are the imperfect and prejudiced judgments of a character whoſe very ſtrength of ſelf-reliance, ſelf-containment, and ſilence, invited that kind of miſconſtruction. Upon no man of this great period, I would repeat, are ſo unmiſtakeably impreſſed the qualities which ſet apart the high-bred Engliſh gentleman, calm, courteous, reticent, ſelf-poſſeſſed; yet with a perſuaſive force ſo irreſiſtible, and a will and energy ſo indomitable, lying in thoſe ſilent depths, that all who came within their reach came alſo under their control.

"Serpentine ſubtlety."

Imperfect and prejudiced judgments.

What Hampden was.

Theſe are qualities which no craft however dexterous, and no ſubtlety the moſt ſerpentine, can in any manner or degree ſupply. When Clarendon, after taxing even his ingenuity to draw a bill of indictment againſt Hampden, ends by ſpeaking of him as not only a very wiſe man and of great parts,‡ and who laid his deſigns deepeſt,§ but who had a great ſagacity

Admiſſions of Clarendon.

* *Hiſt.* iv. 92—93.
† *Harl. MSS.* 163, f. 691 b.
‡ *Hiſt.* iv. 91.
§ *Hiſt.* i. 323.

in diſcerning men's natures and manners, and was poſſeſſed with the moſt abſolute ſpirit of popularity, that is, the moſt abſolute faculties to govern the people, of any man he ever knew; * he aſſigns to him the higheſt form of power a ſtateſman can poſſeſs. The richeſt gifts are waſted in that direction, wanting this. To make the ſpoils of differing intellects its own, to draw ſtrength from the weakneſſes of men, to aſſimilate the moſt varied experiences, to render every mind it touches tributary, is to have that which the utmoſt accompliſhment in eloquence, in learning, or in public affairs will fail to give, and which conſtitutes pre-eminently a leader and governor of men.

Higheſt power of ſtateſman-ſhip.

A leader and governor of men.

Nor was it that any leſs ſupreme temper, or inferior ſelf-command, had appeared in Hampden as he repelled the King's charge of treaſon, but ſimply that what before was not called for had become neceſſary now, and as the occaſion roſe he roſe along with it. After the accuſation of Treaſon, ſays the hiſtorian of the Rebellion, Mr. Hampden was much altered; his nature and carriage † ſeeming

Change in Pym as well as

* *Hiſt.* iv. 91-92. Again (ii. 15) he ſays of him: "He "hath been mentioned before as a man of great underſtanding "and parts, and of great ſagacity in diſcerning men's natures "and manners; and he muſt upon all occaſions ſtill be "mentioned as a perſon of great dexterity and abilities, and "equal to any truſt or employment, good or bad, which he "was inclined to undertake."

Equal to anything.

† This is undoubtedly Clarendon's word, though Mr. Hallam ſtrangely miſquotes it as "courage." *Conſt. Hiſt.* ii. 127.

much fiercer than before. So alſo did he ſay of Hampden's friend and fellow-labourer Pym. From the time, too, of *his* being accuſed of high treaſon by the King, he never entertained thoughts of moderation, but always oppoſed all overtures of peace and accommodation.* They both ſaw, what men of ſuch ſagacity could now hardly fail to ſee, that the armed ſtruggle was at hand, that it muſt be fought out to its laſt iſſue, and that when, in defence of the Law and Religion they ſo prized, the ſword was once drawn, the ſcabbard muſt be flung away.

Hampden after accuſation of treaſon.

All thoughts of moderation gone.

No compromiſe poſſible.

And ſo, to the cloſe of what yet remained of the lives they had given up freely to their country, theſe great men went in perfect harmony together. They ſhared the ſame beliefs and purpoſes, the ſame hopes and reſolves, the ſame enemies and friends, in common to the end. Nor was it otherwiſe than well, remarked Hampden to Hyde when they next met in the Houſe after the incidents of this 4th of January, that himſelf and Pym ſhould hereafter know who *were* their friends. The trouble which had befallen them had at leaſt been attended with that benefit; and he ſaid alſo, "very ſnappiſhly" adds Mr. Hyde (an expreſſion that reveals himſelf if it fails to exhibit

A memorable friendſhip.

Remark to Hyde.

Advantage of knowing one's friends.

* *Hiſt.* iv. 441. In another paſſage he ſays of Pym that "though in private deſigning he was much governed by Mr. Hampden, yet he ſeemed to all men to have the greateſt influence upon the Houſe of Commons of any man." iv. 438.

Pym greateſt in Houſe of Commons.

Mr. Hampden), that he well knew Mr. Hyde had a mind they ſhould both be in priſon.*

Such, however, was not the mind of the Houſe of Commons. Undaunted amid the perils that ſurrounded them, they at once reſolved, upon the laſt of the accuſed members reſuming his ſeat, to deſire a conference with the Lords to acquaint them that a ſcandalous paper had been publiſhed, and to require their help in inſtituting inquiry who were the authors and publiſhers of the ſaid ſcandalous paper, to the end that they might receive condign puniſhment, and the Commonwealth be ſecured againſt ſuch perſons. The *ſcandalous paper* was the Articles of Impeachment which the King had publiſhed by the hands of his Attorney-General.

Conference with the Lords demanded.

Impeachment denounced as a ſcandalous paper.

* This anecdote is in Hyde's *Life*, (i. 103), and his mode of telling it is ſtill to mix up with it a purpoſed and deliberate miſrepreſentation of the real matter in iſſue. "Though "they," he ſays, referring to Hampden and Pym, "had a "better opinion of his diſcretion than to believe he had any "ſhare in the advice of the late proceedings, yet they were "very willing that others ſhould believe it; and made all the "infuſions they could to that purpoſe amongſt thoſe who took "their opinions from them: towards which his known friend-"ſhip with the Lord Digby was an argument very prevalent: "and then his oppoſing the votes upon their privilege had "inflamed them beyond their temper; inſomuch as Mr. "Hampden told him one day, that the trouble that had "lately befallen them had been attended with that benefit, "that they knew who were their friends: and the other "offering to ſpeak upon the point of privilege, and how "monſtrous a thing it was to make a vote ſo contrary to the "known law, he replied very ſnappiſhly, 'that he well knew "'he had a mind they ſhould be all in priſon;' and ſo "departed without ſtaying for an anſwer." Hampden might well turn upon his heel and move ſilently away, for reaſons far other than thoſe imputed to him.

Hampden and Pym as to "diſcretion" of Mr. Hyde.

"Snappiſhneſs" of Mr. Hampden.

Another object of the Conference (of which Fiennes, Glyn, the younger Vane, and Hotham were named managers), D'Ewes adds, was to call immediate attention to the King's Guard at Whitehall, as not the leſs alſo "a breach of our privilege," and interruption to the freedom of debate. This is the firſt hint he gives of any immediate alarm; and though there is little doubt, as will ſhortly appear, that Pym had received notice the previous night of ſome ſpecific and violent deſign in contemplation, he was not, as it would ſeem, made aware of the King's reſolve to take part in it himſelf.* Clarendon ſpeaks of a compoſedneſs appearing, during the events of this remarkable day, in the countenances of many who uſed to be diſturbed at leſs ſurpriſing occurrences; and this doubtleſs was an indication that the Houſe generally had been placed upon its guard. But its forced calmneſs was put to ſevere teſts. "It was now generally "declared," ſays D'Ewes, "that there was a "great confluence of armed men about White- "hall, and that between thirty and forty "canoneers went yeſternight into the Tower "at ten of the clock. Alſo that the Hamlet "men, who were to be ordinary warders "there, had no arms given them: but that "the Biſhops' men were well armed.† Mr.

The Whitehall Guard an interruption to free debate.

Compoſedneſs of the leaders of the Commons.

Gatherings of armed men near the Houſe.

* *Hiſt.* ii. 128.

† *Harl. MSS.* 162, f. 304 b. Ten of my Lords the

Pym moves a deputation to City.

"Pym moved that we might ſend notice of "theſe ſeveral informations and dangers into "the city, to the Lord Mayor, Aldermen, "and Common Council there aſſembled, and "to let them know in what danger the Par-"liament was: all which was ordered accord-"ingly."* And, for execution of the order, Alderman Sir Thomas Soame was joined to the two members, Pennington and Ven, who had ſo ably diſcharged themſelves of the meſſage of the Houſe on the preceding day; "and they were," ſays D'Ewes, "ſent inſtantly away into the City." In ſuch haſte, indeed, that a material point was forgotten. "After they were gone "out, Mr. Peard" (the ſame who moved the printing of the Remonſtrance) "was ſent after "them, to require them to let no man know "their errand till they came into the City."†

Deputation departs.

No man to know its errand.

Still there were members anxious that more ſhould be done, as the rumour of what was preparing in Whitehall took more and more palpable ſhape. "Mr. Nathaniel Fiennes and "others," ſays D'Ewes, "moved that ſome "members of this House might be ſent to "obſerve what numbers of armed men were "about Whitehall, and to know by what au-"thority they were aſſembled there: but this "order was not fully agreed upon, when we "adjourned the Houſe, about 12 of the clock,

Alarm ſtill increaſing.

Adjournment for an hour.

Biſhops, it will be remembered, were at this time lodged, with of courſe all due attendance, in the Tower.

* *Harleian MSS.* 162, f. 305 b. † *Ib.*

" till one of the clock in the afternoon—for an " hour's ſpace."

§ XVIII. Betrayal of the Secret.

A momentous interval.

Momentous was the hour during which the Houſe thus adjourned its ſitting, for within that brief ſpace all the King's intention was betrayed. Up to the time of the adjournment, grave as were the cauſes of alarm, and the grounds for expecting ſome act of violence, the circumſtance which gave its utmoſt gravity to the outrage contemplated does not appear to have been in any degree ſuſpected even remotely. But now it was that Lady Carliſle managed to convey to Pym that the King meant to put himſelf at the head of thoſe Whitehall deſperadoes, and in perſon to demand, and if neceſſary ſeize, the accuſed members as they ſat in their places in the Houſe of Commons. D'Ewes tells us that, " this day at " dinner,"* the five members alſo received a ſecret communication of the King's intention from the Lord Chamberlain of the houſehold, Lord Eſſex, with advice that they ſhould abſent themſelves.

Lady Carliſle betrays all to Pym.

Private meſſage from Lord Eſſex.

Nevertheleſs that does not appear to have been their firſt intention. The Speaker reſumed his chair, ſays D'Ewes, between one and two o'clock, and the four ſelected members who,

Houſe reaſſembles: half-paſt one.

* *Harl. MSS.* 162, f. 306 b.

by order of the Houſe in the morning, had been diſpatched to the Inns of Court, roſe and made brief report of their miſſion. Mr. Richard Brown, of Lincoln's Inn, the member for Romney, ſtated "that he had done the meſ-"ſage of the Houſe to the gentlemen of that "ſociety, whoſe anſwer was, that they had at "firſt gone to the Court laſt week only upon "occaſion of a report brought to them that "the King's perſon was in danger: That "yeſternight they had received a meſſage from "his Majeſty by Sir W^m. Killigrew and Sir "W^m. Fleming, that they ſhould keep within "this day, and be ready at an hour's warning "if his Majeſty ſhould have occaſion to uſe "them: That they brought likewiſe a paper "of articles to them, by which the Lord "Mandeville and five members of the Houſe "of Commons were accuſed of High Treaſon: "That they had only an intent to defend the "King's perſon, and would likewiſe to their "uttermoſt alſo defend the Parliament, being "not able to make any diſtinction between "King and Parliament: And that they would "ever expreſs all true affection to the Houſe "of Commons in particular." Mr. William Ellis, of Gray's Inn, the member for Boſton, next roſe, and "made the like relation" from that ſociety. So, from the Inner Temple, did Mr. Roger Hill, member for Bridport, and who ſat afterwards in judgment on the King. And

Report from Inns of Court.

Lincoln's Inn.

King's meſſage to be in readineſs this day.

As prompt in loyalty to Commons.

Same from Gray's Inn.

From Inner Temple.

ſo, finally, did Mr. Philip Smith, member for Marlborough, report from the Middle Temple; with the difference that this Society ſent their reply in writing, and deſired it ſhould be added that their intention to defend the King's perſon was no more than they were thereunto bound by the oaths of allegiance and ſupremacy. "With which ſeveral anſwers from the Inns "of Court," D'Ewes adds, the Houſe reſted exceedingly well ſatiſfied. and from Middle Temple. The Houſe ſatiſfied.

Then roſe Nathaniel Fiennes, and, in proof that the royal meſſages to the learned ſocieties juſt related were but part of a ſcheme which was under the ſame direction, and which depended for its execution on the armed aſſemblages in the vicinity of the Houſe, "made relation "that he had been at Whitehall, and had aſked "of one of the officers by what authority they "were there aſſembled, who anſwered that they "were commanded to obey Sir Wm Fleming "in all things that he ſhould enjoin them." Armed crowds gathering nearer.

The member for Banbury was ſtill ſpeaking when Pym, Hampden, Hollis, Haſelrig, and Strode entered and took their ſeats, whereupon the Speaker directed it to be entered in the Journals that they had done ſo.* Re-entrance of the Five Members.

Communication was now made to the Houſe of the ſecret intelligence received, and then followed a debate, brief and preſſing, but The Secret diſcloſed to the Houſe.

* See *Commons' Journals*, ii. 368, where the entry ſtill ſtands.

on which hung certain iſſues by which the future deſtinies of England were probably determined. Should the accuſed retire, or wait the King's arrival? Pym, Hollis, and Hampden, conſcious of all the danger, appear to have been for quitting the Houſe, Haſelrig and Strode for remaining; and the diſſentients were ſtill urging reaſons against retreat, while yet, as they argued, no poſitive knowledge was before them of a neceſſity for abrupt departure, when a new actor came ſuddenly on the ſcene. Breathleſs with the exertion he had made to reach the Houſe rapidly, to which end he had even clambered over the roofs of neighbouring buildings,* there appeared at the door a friend of Nathaniel Fiennes, an officer of French birth ſettled in England, by name Captain Hercule Langres. Fiennes left his ſeat, exchanged ſome haſty words with the unexpected viſitor, and immediately paſſed up to Mr. Speaker's chair: upon which Lenthal roſe and abruptly told the Houſe, now a ſcene of extraordinary excitement, that the King already had left Whitehall at the head of a large company of armed men, and was approaching Weſtminſter Hall.

Should the accuſed retire or remain?

A new actor on the ſcene.

Lenthal announces King's approach.

Chronicler Heath.

* *Harl. MSS.* 162, f. 310 b. Heath ſays (*Brief Chronicle*, p. 39) that Langres was a ſervant of the Queen. He declares alſo that the accuſed members were not able to get into the City on the night of the attempted arreſt, ſuch was the excitement prevailing; and that they lay hid all that night in the King's Bench Court, and did not find refuge in the City till next day. But nothing that Heath ſays is worthy of credit unleſs well corroborated by better teſtimony.

This closed debate. The motion before the House had been, that, considering there was an intention to remove five of their members by force, to avoid all tumult let them be commanded to absent themselves: but the motion now substituted, and at once affirmed, was that the House give their members leave to absent themselves, but enter no order for it. "It was "a question," Haselrig afterwards said, "if we "should be gone; but the debate was shortened, "and it was thought fit for us, in discretion, "to withdraw. Away we went. The King "immediately came in, and was in the House "*before we got to the water.**" Not, however, until violence had been used. For, even then, Strode, "crying out that he knew himself "to be innocent, and that he would stay in the "House though he sealed his innocency with "his blood at the door,"† had to be dragged bodily out by his friend Sir Walter Earle, and placed in the barge which had been hastily provided, and was in waiting at the Westminster stairs.

Leave to Five Members to absent themselves.

Away to the City by water.

Strode resists, and is dragged out.

§ XIX. THE KING'S APPROACH TO THE HOUSE.

MEANWHILE Charles and his companions had well-nigh reached the lobby of the House of Commons.

The King's attendants.

In the declaration of breach of privilege

* Burton's *Diary*, iii. 93.
† *Harl. MSS.* 162, f. 306 b.

As to their number and arms: ſubſequently iſſued, it is ſtated that the number of armed men who accompanied the King was five hundred: nor does the King, in his reply, diſpute this, though he alleges that his own attendants were no otherwiſe armed than as gentlemen with ſwords. The remark pointed only to his immediate Guard and Penſioners; but nothing was afterwards more diſtinctly proved than that the bulk of the force who followed carried fire-arms as well. Here are the witneſſes.

Teſtimony of Sir Ralph Verney: Sir Ralph Verney ſtates, that, beſide his uſual Guard and all his Penſioners, his Majeſty was attended by two or three hundred ſoldiers

of Ruſhworth: and gentlemen.* Ruſhworth makes the ſame diſtinction between the royal guard of penſioners and halberdiers, and the miſcellaneous company who followed, and who conſtituted the famous (or infamous) Whitehall Guard, of commanders, Reformadoes,† and ſoldiers of

of Ludlow: fortune.‡ Ludlow, who might himſelf have been (and probably was) an eye-witneſs, ſays that Charles went attended not only with his ordinary guard of penſioners, but alſo with thoſe deſperadoes that for ſome time he had entertained at Whitehall, to the number of three or four hundred, armed with partizans,

of Thomas May: ſwords, and piſtols.§ May, alſo a good au-

* *Notes*, p. 138.

Reformadoes. † A Reformado was an officer of a company diſbanded, but whoſe own ſervices had been retained as ſtill belonging to the regiment of which his company had formed part.

‡ *Hiſt. Coll.* part III. i. 477. § *Memoirs*, i. 24.

thority, puts down "the gentlemen ſoldiers "and others armed with ſwords and piſtols" who were in immediate attendance on the King, at the number of about three hundred.* The wife of Colonel Hutchinſon, implicitly to be truſted as a witneſs, vouches likewiſe for the numbers that attended Charles as not leſs than four hundred armed gentlemen and ſoldiers.† D'Ewes, who ſhows the reverſe of any wiſh to exaggerate the circumſtances, deſcribes the attendant company as compoſed of "ſome offi- "cers who ſerved in his Majeſty's late army and "ſome other looſe perſons, to the number of "about ſome four hundred."‡ Yet Clarendon, writing at a time when he had little need to fear contradiction, has the inconceivable aſſurance to aſk even his readers to believe, that it was "*viſible to all men* that the King had only "with him his Guard of halberdiers, and fewer "of them than uſed to go with him upon "any ordinary motion; and that fewer of his "gentlemen ſervants were then with him, than "uſually attended him when he went but to "walk in the park, and had only their little "ſwords!" §

of Mrs. Hutchinſon:

and of D'Ewes.

Clarendon contradicts all:

relating what was "viſible to all."

But let us further hear Captain Slingſby on this point, which goes indeed to the root of the matter. Writing to Pennington on the

Slingſby's account to Penning-

* *Hiſt.* lib ii. cap. ii. 21.
† Col. Hutchinſon's *Memoirs*, 76.
‡ *Harl. MSS.* 162, f. 306 a. § *Hiſt.* ii. 137-138.

ton: 6th January. 6th of January,* the ſecond day after the attempted arreſt, he makes ſpecial mention of "the multitude of gentry and ſoldiers that had "lately flocked to the Court." Never in his life, he remarks, had he ſeen it ſo thronged as it then was: and the effect had been to ſuch an extent to terrify the Citizens, that they no longer appeared about Whitehall, from apprehenſion of the rough entertainment they were like to receive if they came again. But, he ſays, after thus deſcribing the armed crowds in the King's palace, there had ſuddenly ariſen ſomething to breed expectation of troubles far tranſcending anything cauſed by the Weſtminſter Hall tumults; and then, he continues, "all partes "of the Court being thronged with gentlemen

Armed guards at Whitehall.

Terror and trouble of the Citizens.

* MS. State Paper Office. The letter is dated, in manifeſt error, the 6th of December. It opens with the ſubjoined account of the articles of impeachment, as handed in the preceding day. "On Monday laſt the King's Attorney "did impeach the Lord Mandevill, and Mſſ^rs^ Pim, Hollis, "Strowd, Hamden, & Sr Arthur Haſlrigge, of High Treaſon, "in the Upper Houſe. The ſumme of the articles were ſub-"verting the fundamentall lawes, placing ſubiects in arbitrary "& tirannicall government, calling in a forraigne army, "endeavouring to draw the King's army from his obedience, "depriving the King of his royall power, laying fals aſper-"ſions againſt the King to make him odious, countenancing "tumults againſt the King & Parliament, forcing the Parlia-"ment by terror to joyne with them, ſubverting the rights "& very being of Parliaments, practiſing to rayſe warre & "actually rayſing warr againſt the King: This charge was "ſent downe to the Comons houſe, who received it with the "tearme of a ſcandalous paper. A Serieant-at-Armes ſent "likewiſe to attach them, but was refuſed. Their cloſſetts "by the King's comaund ſealed up, but the ſame night, by "order from the Houſe, opened againe: the next day ſome of "them, notwithſtanding their impeachment, came and ſatt in "the Houſe."

Slingſby deſcribes impeachment:

members' ſitting in Houſe notwithſtanding.

" and officers of the army, in the afternoone " the King WENT WITH THEM ALL, his own " Guard, and the Penſioners:" expreſſly adding that by far the moſt part, among whom he then and there had taken his own place, were " arm'd with ſwords and piſtolls." Such was Hyde's innocent party, and their harmleſs accoutrement, when they ſet out on this famous expedition!

Slingſby one of the King's company.

How innocently armed.

Peaceful and innocent as they were, however, with their " little ſwords," as Mr. Hyde ingenuouſly deſcribes them, in their brief journey from Whitehall they had managed to carry diſmay at every ſtep; and, as they neared Weſtminſter Hall, D'Ewes tell us, " it ſtruck " ſuch a fear and terrour into all thoſe that " kept ſhops in the ſaid Hall, or near the " gate thereof, as they inſtantly ſhut up their " ſhops, looking for nothing but bloodſhed " and deſolation."* Having reached the gate, the armed band formed ſuddenly into a lane, ranging themſelves on either ſide along the whole length of the Hall; and Charles, paſſing through this lane, and entering the door at the ſouth-eaſt angle, aſcended the ſtairs into the Commons' Houſe. His armed company cloſed up, and as many as could preſs in crowded after him. The King's command had been, according to Sir Ralph Verney and

Diſmay at their approach.

Shops ſhut up.

The King paſſes through Weſtminſter Hall.

* *Harl. MSS.* 162, f. 310 a.

Lobby of Houſe of Commons ſuddenly filled.

Captain Slingſby, himſelf one of the company, that the great body ſhould ſtay in the Hall; but, ſays D'Ewes, "his Majeſty coming into "the lobby, a little room juſt without the "Houſe of Commons, divers officers of the "late army in the North, and other deſperate

Armed men ſtill preſs from without.

"ruffians, preſſed in after him to the number "of about four ſcore, beſides ſome of his "penſioners."* Captain Slingſby's account quite bears out D'Ewes. "When," he writes,†. "we came into Weſtminſter Hall, wch was

Charles enters the Houſe

"thronged with the number, the King com-"manded us all to ſtay there; and himſelfe, "with a ſmall trayne, went into the Houſe of

where never king was but once.

"Commons, where never King was (as they "ſay), but once King Henry the Eight."

§ XX. The House Entered by the King.

Within the Houſe, meanwhile, but a few minutes had elapſed ſince the Five Members departed, and Mr. Speaker had received inſtruction to ſit ſtill with the mace lying before

Voice of Charles heard as he enters.

him, when a loud knock threw open the door, a ruſh of armed men was heard, and above it (as we learn from Sir Ralph Verney) the voice of the King commanding "upon their "lives not to come in."‡ The moment after, followed only by his nephew Charles, the Prince

* *Harl. MSS.* 162, f. 306 b.

† MS. State Paper Office. Slingſby to Pennington, 6 Jan. 1641-2.

‡ *Notes*, p. 139.

Elector Palatine, Rupert's eldeſt brother, he entered; but the door was not permitted to be cloſed behind him. Viſible now at the threſhold, to all, were the officers and deſperadoes above named, of whom, D'Ewes proceeds, "ſome had "left their cloaks in the Hall, and moſt of them "were armed with piſtols and ſwords, and "they forcibly kept the door of the Houſe of "Commons open, one Captain Hide * ſtanding next the door holding his ſword upright "in the ſcabbard:" † a picture which Sir Ralph Verney, alſo preſent that day in his place, completes by adding that "ſo the "doors were kept open, and the Earl of "Roxborough ſtood within the door, leaning "upon it." ‡

Armed followers viſible outſide.

Door kept forcibly open.

Captain Hide and Lord Roxborough.

As the King entered, all the members roſe

* This Captain Hide, who thus, holding his ſword upright in its ſcabbard, ſignified his and its readineſs that day for any deſperate deed, was the ſame David Hide, "a Reformado in the "late army againſt the Scots and now appointed to go in ſome "command into Ireland" (*Ruſhworth*, part iii. vol. i. 463), who, upon that diſaſtrous day of the Lunſford tumults which had its appropriate iſſue in the firſt blood ſhed in this Great Civil War (that of Sir Richard Wiſeman, a London Citizen, mortally hurt on the 27th December), took a leading part in the conflict in Weſtminſter Hall, "buſſled" againſt the Citizen apprentices whom the hot Welſh wrath of Archbiſhop Williams had eſpecially provoked, and, drawing his ſword with an oath, ſaid "he'd cut the throats of thoſe Round-headed Dogs that "bawled againſt Biſhops:" which paſſionate expreſſions of his, Ruſhworth remarks, "as far as I could ever learn, was the "firſt miniting" [minting, or coinage] "of that term or "compellation of Roundheads which afterwards grew ſo "general." (See ante, 63, 137). Hide was afterwards caſhiered from his Iriſh command by the Houſe, but he reappeared in Merrick's Regiment during the Civil War.— See *Ruſhworth*, iii. 1247.

Captain Hide: Prominent in Weſtminſter tumults: Caſhiered and reappointed.

† *Harl. MSS.* 162, f. 307 a. ‡ *Notes*, p. 139.

Members riſe and uncover.

and uncovered, and the King alſo removed his hat; and it would not have been eaſy, ſays Ruſhworth, to diſcern any of the five members, had they been there, among ſo many bare faces ſtanding up together. But there was One face, among the Five, which Charles knew too well not to have ſingled out even there; and hardly had he appeared within the chamber, when it was obſerved that his glance and his ſtep were turned in the direction of Pym's ſeat cloſe by the Bar. His intention, baffled by the abſence of the popular leader, can only now be gueſſed at: but, Ruſhworth adds, "his Majeſty, not ſeeing Mr. Pym there, "knowing him well, went up to the chair."* We all, ſays D'Ewes, ſtood up and uncovered our heads, and the Speaker ſtood up juſt before his chair. "His Majeſty, as he came "up along the Houſe, came the moſt part of "the way uncovered, alſo bowing to either "ſide of the Houſe, and we all bowed again "towards him, and ſo he went to the Speaker's "chair on the left hand of it, coming up "cloſe by the place where I ſat, between the "ſouth end of the Clerk's table and me."† As he approached the chair, Lenthal ſtepped out to meet him; upon which "he firſt ſpake," ſays D'Ewes, ſaying, "Mr. Speaker, I muſt "for a time make bold with your chair."

A crowd of bare faces.

Charles turns to a well-known ſeat:

miſſes Mr. Pym:

paſſes up to Speaker's chair;

cloſe by D'Ewes's ſeat.

Stands on ſtep of Lenthal's chair.

* *Hiſt. Coll.* III. i. 477.
† *Harl. MSS.* 162, f. 306 a.

And then the King ſtepped up to his place and ſtood upon the ſtep, but ſat not down in the chair. And after he had looked a great while, he ſpoke again. Looks long before he ſpeaks.

A break here occurs in the narrative of D'Ewes. His relation for a while is interrupted; and a note afterwards written, and ſubſtituted for it, refers us to what was "taken in characters by the Clerk's "aſſiſtant." Perhaps the only perſon wholly quiet and unmoved during the extraordinary ſcene, unleſs it were that moſt impaſſive of note-takers, Sir Simonds himſelf, was this lately appointed Clerk's aſſiſtant, young Mr. Ruſhworth, who was obſerved, as he ſat at the Clerk's table, buſily taking down the words of the King, as they broke upon the ſullen and "awe-"full" ſilence. His report, drawn out in the evening by command of the King, who had noticed him writing at the table, was publiſhed in a broadſide next morning, and D'Ewes, finding the King's words therein more exactly given than by himſelf, makes a reference in his Journal to thoſe parts of it; but his Majeſty had directed an omiſſion which D'Ewes is careful to ſupply in his own record, and only a portion of which (the words ſpoken by Lenthal) we find Ruſhworth to have appended in after years to the account

Break in narrative of D'Ewes.

One unmoved ſpectator of the ſcene.

Young Mr. Ruſhworth.

His report and deſcription ſent for by King.

Important corrections made therein.

Copy ſo corrected in State Paper Office:

preſerved in his *Collections*.* But, in addition to what is ſo ſupplied by the manuſcript Journal of D'Ewes, I have been fortunate enough to find, in the State Paper Office, what appears to be the original copy of Ruſhworth's report of what was ſaid by the King, as taken during the evening to the palace and corrected by Charles; and, though the corrections, trivial in themſelves, ſerve chiefly to ſhow the accuracy with which Ruſhworth had taken his notes, the eraſures yet enable us exactly to mark the characteriſtic breaks that occurred, and more vividly to reproduce the actual ſcene.†

a help to more vivid reproduction of the ſcene.

The King's ſpeech to the Houſe.

"Gentlemen," ſaid Charles, "I am ſorry "for this occaſion of coming unto you. Yeſ- "terday I ſent a Serjeant-at-Arms upon a very "important occaſion to apprehend ſome that "by my command were accuſed of High "Treaſon; whereunto I did expect obedience,

* *Hiſt. Coll.* III. i. 477-8.

† I ſubjoin an accurate copy of the portions in which the material corrections or eraſures occur, with the latter printed in facſimile:

Ruſhworth's report of the ſpeech, corrected by Charles.

I muſt declare unto you here, noe king that ever was in
that albeit
England, ſhall bee more Carefull (of yor priviledges) ~~nor~~ to
maintaine them to the uttermoſt of his power then I ſhall
be
~~be doe~~. Yet you muſt know y^t in Caſes of Treaſon noe
perſon hath a priviledge. And therefore I am come to

" and not a meſſage. And I muſt declare Expects traitors to be delivered up to him.
" unto you here, that albeit no King that
" ever was in England ſhall be more careful
" of your privileges, to maintain them to the
" uttermoſt of his power, than I ſhall be,
" yet you muſt know that in caſes of Treaſon

know, if any of thoſe perſons that were accuſed are here.

Then caſting his eyes upon all the Members in the Houſe ſaid, I doe not ſee any of them; I thinke I ſhould know them. Eraſure by the King.

For I muſt tell you Gent^n^ that ſoe long as thoſe perſons that I have accuſed (for noe ſlight crime, but for Treaſon) are here, I cannot expect that this Houſe can bee in the right way, that I doe heartily wiſh it: Therefore I am come to tell you, that I muſt have them, whereſoever I finde them.

Then His Matie ſaid is Mr. Pym here? to wch noe Body gave anſweare. Enquiry for Pym alſo eraſed.

Well, ſince I ſee all ~~my~~ the Birds are flowen I doe expect from you, that you ſhall ſend them unto mee as ſoone as they returne hither: ~~I muſt tell~~ but aſſeure you in the word of a king I never did intend any force, but ſhall proceed ag^t^ them in a legall & faire way; for I never ~~intended~~ meant any other.

And now ſince I ſee I cannot doe what I came for. I thinke this is noe unfitt occaſion to Repeat what I have ſaid formerly that whatſoever I have done in favour, and to the good of my ſubjects I do meane to mentaine it. ~~moſt~~

Are the Five Members in the Houſe?

"no perſon hath a privilege. And therefore "I am come to know if any of theſe perſons "that were accuſed are here."

Then he pauſed; and caſting his eyes upon all the members in the Houſe, ſaid "I do not ſee

No reply.

"any of them. I think I ſhould know them."

"For I muſt tell you, Gentlemen," he

Nothing will be well till accuſed are ſurrendered.

reſumed after another pauſe, "that ſo long "as thoſe perſons that I have accuſed (for no "ſlight crime, but for Treaſon) are here, I "cannot expect that this Houſe will be in the "right way that I do heartily wiſh it. There- "fore I am come to tell you that I muſt

Muſt have them.

"have them, whereſoever I find them."

Then again he heſitated, ſtopped: and called out, "Is Mr. Pym here?" To which nobody gave anſwer.

Painful heſitation and effort.

The awkwardneſs and effort manifeſt in theſe pauſes and interruptions, the words that again and again recur, the needleſs and bald repetitions, in which we ſeem to hear the ſlow and laboured utterance with which Charles covered his natural impediment of ſpeech, impreſs the imagination painfully.

Addition ſupplied by D'Ewes.

All the breaks and pauſes, however, were omitted in the report directed to be publiſhed; and D'Ewes, ſurmiſing that not only ſuch omiſſions had been made by the King's order, but alſo all mention of the reply given upon Charles's appeal to the Speaker, is careful to reſtore what was wanting. "But

" the King cauſed all that to be left out, confirmation of report as corrected by the King.
" namely, when he aſked for Mr. Pym,
" whether he were preſent or not, and when
" there followed a general ſilence, that nobody
" would anſwer him. He then aſked for Mr.
" Hollis whether he were preſent, and when Enquiries for Pym and Hollis.
" nobody anſwered him, he preſſed the Speaker
" to tell him, who, kneeling down, did very
" wiſely deſire his Majeſty to pardon him,
" ſaying that he could neither ſee nor ſpeak Reply.
" but by command of the Houſe: to which the
" King anſwered, 'Well, well! 'tis no matter.
" 'I think my eyes are as good as another's.' Looking for them himſelf.
" And then he looked round about the Houſe
" a pretty while, to ſee if he could eſpie any
" of them."* Very welcome are all ſuch additional touches to a picture ſo memorable.

" May it pleaſe your Majeſty," ſaid Lenthal, to the appeal that he ſhould ſay where Pym was (for, as Ruſhworth himſelf, when he publiſhed his *Collections*, inſerted his own report of the diſcreet ſpeech of Mr. Speaker, and as the good Sir Simonds, had he lived to ſee it, would certainly have copied it in his Journal, it will here be moſt properly appended to an account which firſt gives to it all its ſignificance), " I have neither eyes to ſee nor
" tongue to ſpeak in this place, but as the
" Houſe is pleaſed to direct me, whoſe ſervant Speaker Lenthal's ſpeech. No eyes or tongue but as the Houſe's ſervant.

* *Harl. MSS.* 162, f. 306 a.

"I am here; and I humbly beg your Ma-
"jeſty's pardon that I cannot give any other
"anſwer than this to what your Majeſty is
"pleaſed to demand of me." Words conceived indeed with a ſingular prudence. Impreſſed deeply by the attitude of the Houſe, and inſpired ſuddenly by the truſt confided to him, a man little famous for magnanimity or courage diſplayed both for the moment in a remarkable degree, and roſe to the occaſion as greatly as the King ſank beneath it. But ſorrow and ſuffering are wiſer teachers than anger and revenge. There was yet to come a day in Charles's life, when he too would riſe to the demand of the time; when his natural infirmities would be viſible no longer; and when men ſhould wonder to behold, in one ſo infirm of purpoſe and difficult of ſpeech, both unembarraſſed accents and a reſolute will.*

Extraordinary peech for an ordinary man.

Another greater but like example.

After that long pauſe deſcribed by D'Ewes, the dreadful ſilence, as one member called it, Charles ſpoke again to the crowd of mute and ſullen faces. The complete failure of his ſcheme was now accompliſhed, and all its poſſible conſequences, all the ſuſpicions and retaliations to which it had laid him open,

"Dreadful" ſilence.

The King conſcious of his failure.

* "He had," ſays William Lilly, "a natural imperfection "in his ſpeech: at ſome times could hardly get out a word: "yet at other times he would ſpeak freely and articulately, "as at the firſt time of his coming before the High Court of "Juſtice, where caſually I heard him: there he ſtammered "nothing at all, but ſpoke very diſtinctly, with much courage "and magnanimity."—*Monarchy or no Monarchy.*

Charles the Firſt's ſpeech at his trial.

appear to have ruſhed upon his mind. "Well, His birds flown.
"ſince I ſee all my* birds are flown, I do
"expect from you that you will ſend them
"unto me as ſoon as they return hither.
"But, I aſſure you, on the word of a King,
"I never did intend any force, but ſhall pro- Proteſts he never intended
"ceed againſt them in a legal and fair way, force.
"for I never meant any other. And now,
"ſince I ſee I cannot do what I came for, I
"think this no unfit occaſion to repeat what
"I have ſaid formerly, that whatſoever I have Means to maintain the conceſſions he has made.
"done in favour, and to the good, of my
"ſubjects, I do mean to maintain it. I will
"trouble you no more, but tell you I do
"expect, as ſoon as they come to the Houſe, Expects the Five will be ſent to him.
"you will ſend them to me; otherwiſe I muſt
"take my own courſe to find them." To
that cloſing ſentence, the note left by Sir Ralph
Verney makes a not unimportant addition,
which, however, appears nowhere in Ruſh-
worth's report. "For their treaſon was foul, Declares their treaſon foul.
"and ſuch an one as they would all thank
"him to diſcover."† If uttered, it was an
eſcape of angry aſſertion from amid forced
and laboured apologies, and ſo far would agree
with what D'Ewes obſerved of his change of
manner at the time: "After he had ended
"his ſpeech, he went out of the Houſe in a Leaves the Houſe
"more diſcontented and angry paſſion than he

* "My" in Ruſhworth's original note: "the" ſubſtituted by Charles.

† Verney's *Notes*, p. 139.

in anger: "came in, going out again between myſelf "and the ſouth end of the Clerk's table, and "the Prince Elector after him." *

Captain Slingſby's narrative of the incident.

Silence of the Houſe explained.

Determined to have the accuſed.

Houſe had ſent to City for 4000 men.

Shops all ſhut.

Bere to Pennington: 6th Jan. 1641-2.

* *Harl. MSS.* 162, f. 306 a. I will here add Capt. Slingſby's account, written the next day but one, but for which of courſe he muſt have been indebted to ſome Royaliſt members of the Houſe, as he had himſelf remained outſide the lobby. "He came very unexpectedly, and at "firſt coming in, comaunded the Speaker to come out "of his chayre, and ſatt downe in it himſelfe, aſking divers "times whether thoſe traytours were there, but had no "anſwere: but at laſt an excuſe, that by ye orders of "the Houſe they might not ſpeake when there Speaker was "out of his chayre. The King then aſkt the Speaker, who "excuſed himſelfe, that he might not ſpeake but what the "Houſe gave order to him to ſay: whereuppon the King "replied it was no matter, for he knew them, if he ſaw "them. And after he had viewed them all, he made a "ſpeeche to them very maieſtically, declaring his reſolution "to HAVE THEM though they were then abſent: promiſing "not to infringe any of their libertyes of parlament, but "comaunding them to ſend the traytours to him if they came "there againe. And after his coming out he gave order to the "Sarieant att Armes to find them out; and attach them. "Before the Kinge's coming, the Houſe were very high, and "as I was informed, ſent to the Cittie for fower thouſand "men to be preſently ſent downe to them for their Guard. "But none came, all the Cittie being terribly amazed w^th^ "that unexpected charge of thoſe perſons: ſhoppes all ſhutt, "many of wch doe ſtill continue ſoe. They lykewiſe ſent to "the trayned bandes, in the Court of Guard before White-"hall, to comaund them to diſband but they ſtayed ſtill. "After the Kinge had beene in the Houſe, there was no more "ſpoke, but only to adjorne till the next day."—MS. State Paper Office. Captain Slingſby to Admiral Pennington, 6th January, 1641-2. To which may be added an extract from a letter, alſo in the National Collection, written on the ſame 6th of January by Under Secretary Bere, encloſing Ruſhworth's report of the King's ſpeech to the Admiral. "On Monday laſt, the King's Attorney accuſed 5 of the "Lower Houſe & one of the Upper of High Treaſon "as you will ſee by the Articles of accuſation herew^th^. "In conſequence of wch a Serg^t^ of Armes was ſent to demand "them, but ye Houſe taking time to conſider of it, & having "ſent a meſſage inſtead of the delivery, His Matie went the "next day himſelfe in perſon to ye Commons Houſe to demand "them, as you will ſee by the incloſed ſpeech. But it ſeemes

But he did not leave, as he had entered, in ſilence. Low mutterings of fierce diſcontent broke out as he paſſed along, and "many "members cried out aloud, ſo as he might "hear them, *Privilege! Privilege!*" With thoſe words, ominous of ill, ringing in his ear, he repaſſed to his palace through the lane, again formed, of his armed adherents, and amid audible ſhouts of as evil augury from deſperadoes diſappointed of their prey. Eagerly in that lobby had the word been waited for, which muſt have been the prelude to a terrible ſcene. Lady Carliſle alone had prevented it.

but not amid ſilence.

"Privilege! Privilege!" ſhouted after him.

Paſſes out through files of armed adherents.

§ XXI. Impression Produced by the Outrage.

What briefly followed within the chamber whoſe moſt ſacred rights had thus been violated by Charles the Firſt, is revealed to us only by D'Ewes. "As ſoon as "he was gone, and the doors were ſhut, "the Speaker aſked us if he ſhould make "report of his Majeſty's ſpeech. But Sir "John Hotham ſaid we had all heard it, and "there needed no report of it to be made.

Proceedings in Houſe after King's departure.

Speech of Hotham.

"they had made themſelves out of the way, as they ſtill alſoe remaine, wch ſome conceive is but don till the Houſe ſhall reſolve what to doe wth them. *Others thinke that they are actually fled.* What will be of it, time muſt tell. In the meane time this buſineſs filled every one wth feares what might enſue thereon, and the Cittie remained all that night in armes, and are not yett very well aſſured, every one being poſſeſt with ſtrange feares and imaginations."

Uncertainty as to flight of members.

Cries for adjournment.

" And others cried to adjourn till to-morrow " at one of the clock in the afternoon; upon " which in the iſſue we agreed. And ſo, the " Speaker having adjourned the Houſe to

Houſe riſes at 3.30 p.m.

" that hour, we roſe about half an hour after " three of the clock in the afternoon:* little " imagining for the preſent—at leaſt a greater " part of us—the extreme danger we had " eſcaped through God's wonderful provi- " dence." †

D'Ewes deſcribes the King's deſign:

" For the deſign was," purſues Sir Simonds, writing at the cloſe of his day's Journal, and before the entry of the morrow, " to have " taken out of our Houſe by force and violence " the ſaid five members, if we had refuſed to " have delivered them up peaceably and wil- " lingly; which, for the preſervation of the

to have raiſed a conflict in the Houſe.

" privileges of our Houſe, we muſt have re- " fuſed. And in the taking of them away,

Details of the plot.

" they were to have ſet upon us all, if we had " reſiſted, in an hoſtile manner. It is very " true that the plot was ſo contrived as that

Entry in Journals of the 4th January, 1641-2.

* The day's entry, as it ſtill ſtands in the Journals, well expreſſes, in its ſudden and unfiniſhed abruptneſs, the agitation and excitement in which the day muſt have cloſed.

" JAN. 4. P.M. The King came into the Houſe of Commons and took Mr. Speaker's Chair.

" Gentlemen I am ſorry to have this occaſion to come unto you.

* * * *

" Reſolved upon the queſtion that the Houſe ſhall adjourn itſelf till to-morrow one of the clock."

† *Harl. MSS.* 162, f. 306 b.

" the King ſhould have withdrawn out of the
" Houſe, and paſſed thorough the lobby or
" little room next without it, before the maſ-
" ſacre ſhould have begun, upon a watchword
" by him to have been given upon his paſſing
" thorough them. But 'tis moſt likely that
" thoſe Ruffians, being about eighty in number,
" who were gotten into the ſaid lobby, being
" armed all of them with ſwords, and ſome of
" them with piſtols ready charged, were ſo
" thirſty after innocent blood as they would
" ſcarce have ſtayed the watchword, if thoſe
" members had been there; but would have
" begun their violence as ſoon as they had
" underſtood of our denial, to the hazard of
" the perſons of the King and the Prince
" Elector, as well as of us. For, one of them
" underſtanding, a little before the King came
" out, that thoſe five gentlemen were abſent,
" 'Zounds!' ſaid he, 'They are gone! and
" 'we are never the better for our coming!'

Armed deſperadoes not to be reſtrained.

The King's perſon in danger.

" And the deliverance," adds D'Ewes, in this remarkable paſſage of his Journal, " will
" appear to have been the more ſtrange, if we
" conſider how the plot being revealed to one
" M. Langres, dwelling in the Covent Garden,
" after the King had taken his coach at White-
" hall, and was coming toward us, he got
" through the multitude of thoſe ſouldiers and
" ruffians, and coming to the Houſe acquainted
" Mr. Nathaniel Fiennes with the King's reſo-

Strange deliverance.

King's approach told to Fiennes.

Withdrawal of the members.

Oppoſition of Strode.

"lution. Whereupon Mr. Denzil Hollis, Sir "Arthur Haſelrig, Mr. Hampden, and Mr. "Pym, who had notice alſo formerly given "them that there was ſuch a deſign, did "preſently withdraw: but Mr. William Strode, "the laſt of the Five, being a young man and "unmarried,* could not be perſuaded by his

Identity of Strode with the earlier Strode diſputed.

Reply to objections made:

Original opinion ſtrengthened, not weakened.

Ages of the principal men of the Commons.

Miſtakes of Thomas May.

* I retain the opinion put forth in my Eſſay on the Grand Remonſtrance (*Hiſt. and Biog. Eſſays*, i. 1-175) that this expreſſion of D'Ewes, and the language uſed by Clarendon, are deciſive againſt the identity of the Strode of the parliaments of James and the early parliaments of Charles with the Strode of the Long Parliament. The grounds on which I formed and ſtated that opinion have ſince been conteſted in a book of great ability, and full of valuable matter relative to the Commonwealth period (*Studies and Illuſtrations of the Great Rebellion*, by J. Langton Sandford, Eſq.); but I muſt be permitted to think that Mr. Sandford's argument, though ingenious and elaborate, is not ſatisfactory. The giſt of it lies in this remark: "William Strode may very well have been "under forty in 1642; and this, in the eyes of 'an ancient "'gentleman' ſuch as D'Ewes, woulden title him to the name "of 'a young man'" (p. 399). Unfortunately for the ſenſe in which the argument is uſed, it tells with the greateſt force in the oppoſite direction. D'Ewes's own age was exactly thirty-nine (he was born in December 1602); and it entitled him to the name of 'an ancient gentleman.' No one acquainted with the ſocial uſages and characteriſtics of that time would for a moment expect that a man of thirty-nine ſhould be ſtyled young. That is a modern ſtyle altogether. But, even in our own polite days, a man of thirty-nine would not be likely to ſingle out as a young man a perſon of his own mature age. Beſides, Hollis himſelf was only forty-four, Hampden was not more than forty-ſix, Haſelrig was ſome years younger, and from ſuch a company to ſelect and ſet apart for his youth a man of years ſo nearly equal, would have been ſheer abſurdity. Since my attention was firſt drawn to this "hiſtoric "doubt," I have obſerved that the hiſtorian May aſſerts the identity, ſaying of Strode that he had "before ſuffered many "years of ſharp and harſh impriſonment for matters done in par-"liament" (lib. 2, cap. 2, p. 21), but when he publiſhed his *Hiſtory* in 1647 Strode had been ſome years dead, and in perſonal queſtions May is not always ſtrictly accurate or careful. To give an inſtance: his account (p. 27) of the Whitehall Guard is inaccurate both as to time and perſons. It is not much to

" friends for a pretty while to go out; but
" ſaid, that knowing himſelf to be innocent, he

add to the other proofs, but it may be worth remark that the Contempt ſame trivial and contemptuous mode of ſpeaking of Strode, in of compariſon with the other members, is to be found in the Royaliſts lampoons of the day. In the verſes ſubjoined, he and Haſelrig for Strode. ſtand in as marked contraſt with the reſt, even though all be ſet apart for abuſe, as in the page of Clarendon:

" My venom ſwells," quoth Hollis,
" And that his Majeſty knows."
" And I," quoth Hampden, " fetch the Scots
" Whence all this miſchief grows."

" I am an aſſe," quoth Haſelrigge,
" But yet I'm deep i' the plot;"
" And I," quoth Strode, " can lye as faſt
" As Maſter Pym can trott."

" But I," quoth Pym, " your hackney am,
" And all your drudgery do,
" I make good ſpeeches for myſelf,
" And privileges for you—"

So, in London's Farewell to the Parliament, the abuſe of Varieties Hollis, Hampden, and Pym, is a good ſolid hate, and it is of Royaliſt not till Strode's turn comes, that contempt ſeems to take the ſlander. place of it:

Farewell Denzil Hollis, with hey, with hey;
Farewell Denzil Hollis, with hoe;
'Twas his ambition or his need,
Not his religion did the deed,
With hey trolly, lolly, loe.

Farewell John Hampden, with hey, with hey;
Farewell John Hampden, with hoe;
He's a ſly and ſubtle fox,
Well read in Buchanan and Knox,
With hey trolly, lolly, loe.

Farewell John Pym, with hey, with hey;
Farewell John Pym, with hoe;
He would have had a place in Court,
And he ventur'd all his partie for't,
With hey trolly, lolly, loe.

Farewell Billy Strode, with hey, with hey;
Farewell Billy Strode, with hoe;

Will ſeal his innocency with his blood.

" would ſtay in the Houſe though he ſealed " his innocency with his blood at the door. " So as, being at laſt overcome " (D'Ewes gets a little confuſed in his ſentences here) " by " the importunate advices and entreaties of his " friends, when the van, or fore-front, of thoſe " ruffians marched into Weſtminſter Hall: " nay, when no perſuaſion could prevail with

Sir Walter Earle pulls him out by the cloak.

" the ſaid Mr. Strode, Sir Walter Earle, his " entire friend, was faine to take him by cloak, " and pull him out of his place; and ſo got " him out of the Houſe. 'Tis very true, " indeed, that the Lord Mandeville " (Kimbolton continued to be more familiarly known by his old than by his new title) " and theſe " five gentlemen had notice not only yeſternight " of this intended deſign, but were likewiſe

The accuſed warned at dinner hour by Eſſex.

" ſent to, this day at dinner, by the Earl of " Eſſex, Lord Chamberlain of his Majeſty's " houſehold, that the King intended to come " to the Houſe of Commons to ſeize upon " them there, and that they ſhould abſent " themſelves: yet had they no direct aſſurance " that the ſaid deſign ſhould certainly be put " in execution, till the ſaid M. Langres his " coming to the ſaid Houſe." *

Such was the view taken, ſuch the opinion

He ſwore all Wharton's lyes were true;
And it concern'd him ſo to do,
For he was in the ſaw-pit too—
With hey trolly, lolly, loe.

* *Harl. MSS.* 162, ff. 306 b. 307 a.

uttered, with no public object or deſign, but as a man communes with himſelf or his moſt intimate friend, of the proceedings of this eventful day, by a member of the Houſe who with his own eyes had witneſſed them, writing not many hours after the event; and who gave further deciſive proof of *his* ſenſe of the danger which from that day awaited all men who might diſcharge their duty fearleſſly in the Houſe of Commons, by at once arranging his affairs, ſetting his houſe in order, and executing his will. "Some," he remarked in a ſubſequent debate, "have ſaid it were well "for the Parliament men to ſet their houſes "in order, leſt they ſhould ſhortly loſe their "heads. For my part, I confeſs I have not "that work now to do; having ever ſince "the 4th day of January laſt paſt, left my "will with a third perſon in truſt." * The

Unimpaſſioned character of D'Ewes's teſtimony.

His ſenſe of danger marked by execution of his will:

and ſetting his houſe in order.

* *Harl. MSS.* 163, f. 509 b. D'Ewes is ſpeaking, on the 16th May, 1642, more than five months after the events to which I am referring, of the diſputes in Yorkſhire which immediately preceded the outbreak of civil war: "Mr. H. Bellaſis, Sir R. Pye, and others, moved "that we might think of ſome way of accommodation. "Others moved that we might prepare to defend ourſelves. "I ſaid I was ſorry to ſee things grown to ſuch a height in "Yorkſhire; and though his Majeſty diſavowed the injuries "offered the poor freeholders of Yorkſhire, I did not hear "that he diſavowed thoſe offered his poor Parliament, although "their meſſages were hiſſed at when they were read, and "although ſome ſaid it were well for the parliament men to "ſet their houſes in order leſt they ſhould ſhortly loſe their "heads. For my part I confeſs I have not that work now to "do, having ever ſince the 4th day of January laſt paſt," the day of the attempted arreſt, "left my will with a third "perſon in truſt—(of which," D'Ewes adds with ſome com-

Queſtion of accommodation with the King.

Parliament-men in peril.

Iſolation of D'Ewes from mere party.

judgment ſo formed, too, and the courſe ſo taken on the inſtant, were thoſe of a man not ſharing vehemently in any of the popular paſſions; never admitted to the confidence of the leaders; having a ſtrong perſonal diſlike, as I ſhall ſhortly take an opportunity of ſhowing, to ſome of them; and himſelf noted for a particular preciſion and ſobriety, as well in his habits of thought as in his ways of life. Nor is it in any degree reaſonable to ſuppoſe that the King ſhould *not* have reſolved to give ſome ſort of effect to his project, having once, however raſhly, embarked in it. To have intended merely to go and aſk for the members, and, having ſo invited the refuſal which it was obvious would be given, to leave them unmoleſted in their ſeats and himſelf come diſcomfited away, would have been indeed to add to ſupreme raſhneſs a ſupreme ſillineſs. Armed men could have accompanied him for one purpoſe only, and this was baffled by the abſence of the accuſed: nor was it poſſible that any one, writing of the occurrence in later times, ſhould have found it reaſonably open to any other conſtruction, if upon this, as upon other great queſtions between the People and the King, Clarendon had not drawn off to a falſe iſſue ſucceſſive generations of readers. Content to have profited by the act if it had ſucceeded,

His preciſion and ſobriety.

Queſtion of the King's conduct.

Could have had but one purpoſe.

placency, "the Houſe took eſpecial notice, as I was fain for a "while to ſtop from farther proceeding)".

it was an act of which the failure was unpardonable: and every one in the confidence of the King became eager to ſeparate himſelf from it, to ſpeak of it as apart and iſolated from other acts to which it was in truth no way contraſted or oppoſed, to treat it as a ſudden frenzy, and altogether to conceal the real object which it aimed at, and, but for an accident unforeſeen, and the failure of ſecret meaſures here ſhown to have been daringly attempted, it might have gone far to accompliſh.

Not the act but the failure unpardonable.

Succeſs narrowly miſſed.

Compare the tone ſo taken, after the fact, with what men wrote upon the inſtant who ſhared Hyde's opportunities of knowledge, who like him were behind the ſcenes, but who wrote not to conceal, but to expreſs, the truth. "I pray God this very buſineſs," wrote Under Secretary Bere to Admiral Pennington on the 6th of January, "doe not "render our condition in Court the worſe; for "things being now brought to a heighth, they "cannot conſiſt ſoe, but muſt change to the "great prejudice of the one or other ſide: and "I pray God wee find not that we have "flattered ourſelves wth an imaginary ſtrength "and party, in the Citty and elſewhere, w^ch^ "will fall away, if need ſhould bee. A report "now goes that thoſe perſons accuſed are in "London, and ſome will have itt they are "ſitting wth the Comittee wch ſitts there. By

Under. Secretary Bere's dread as to ultimate reſult.

Change muſt be for the worſe.

Rumours as to whereabouts of accuſed.

" all this, you will ſee the greate diſtractions " that are here: ſoe that you may well ſay " wee have no leſs ſtormes here than you have " att ſea—*I feare worſe and more full of* " *danger.*" *

Worſe ſtorms on land than at ſea.

That is not the language of a man who regarded the King's act as having ſprung from a mere ſudden unreaſoning impulſe of anger, or who deſired to underrate its gravity. The writer knew the circumſtances too well. He had himſelf drawn up the warrant, which, but for a merciful accident interpoſed, might have drenched London ſtreets in the blood of the Citizens. He was perfectly aware of all the preparations made, of all the deliberation uſed; and his prayer to God is, that they who had taken part therein (of whom he was one) might not find they had flattered themſelves with an imaginary ſtrength, in the City and elſewhere, which already was crumbling and falling away beneath them.

Circumſtances well known to Under Secretary:

His fears and forebodings.

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§ XXII. Lord Digby and Mr. Hyde.

Not of the moderate or conſcientious tem-

* MS. State Paper Office. The Under Secretary thus cloſes his letter: " I humbly thank you for y^r^ kind invitation " abord this Xmas, where I would willingly be, but that I " may not well bee abſent: my buſineſſe growing ſtill more " and more: yett we have the addition of another fellow " Secret^y^. by name Mr. Oudart, who was Secret^y^ to Sr John " Boſwell: ſo y^t^ ye labour is very eaſy, but diſpenſes not " with abſence."

An invitation for Chriſtmas declined.

per of the Under Secretary, however, were those who had advised the King. It is a bare act of justice to say, of other and more active participators in the Royal Councils at this time, that they did not show fear, remorse, or apprehension of any kind. Lord Digby certainly does not seem to have shrunk from the proposal to carry the King's daring attempt, begun that day, to its natural issue. He was willing to take the utmost hazard upon himself, says Hyde; and would have redeemed his failure of promise in the matter of Lord Kimbolton by undertaking, with the congenial help of such gentlemen as Sir Thomas Lunsford, to seize the accused members in the very house in the City where they had taken refuge, and either bring them away alive, or "leave them "dead in the place."*

Violent and reckless counsel.

Carrying attempt to its issue.

Digby's proposal:

Elsewhere, too,† the same writer tells us, that, as soon as the failure of the enterprise at the House declared itself, Digby's great spirit was so far from failing, that when he saw the whole City upon the matter in arms to defend the Five Members, he, knowing in what house they were together, offered the King, with a select number of a dozen gentlemen, who he presumed would stick to him, to seize upon their persons dead or alive. And without doubt, adds Clarendon naively, he would

To seize the Five Members dead or alive.

* *Hist.* ii. 130.

† Clarendon's *State Papers*. Supplement to third vol. lv-lvi.

have done it, "which muſt likewiſe have had "a wonderful effect."

Miſchief let looſe by King's act.

Such were the elements of diſcord and violence let rudely looſe by the act of the King; and to comprehend all that follows, to underſtand even the alarms we have ſeen expreſſed by D'Ewes after the King's departure, and what we ſhall obſerve hereafter of their ſudden, unexplained, and abrupt recurrence, the fact of ſuch miſchief being abroad, and ſuch rumours or threats of deſperate deſigns underlying men's ordinary diſcourſe, muſt ſtill be kept carefully in mind. "The publike voice "runs much," wrote Bere to Pennington,

Rumours againſt Briſtol and Digby.

"againſt Briſtol and his ſon, as great inſtru-"ments of theſe miſunderſtandinges."* With more elaboration, and with alluſions that pointed to ſecret intrigues not leſs than to frank and open outrage, Mr. Smith of the Admiralty wrote to the King's favourite ſeaman. He began by telling his "honoured "compeer," what grief he feels that his relation of affairs cannot be ſuch as might comfort the Admiral's languiſhing ſpirits, as in his lateſt letter he had deſcribed them, turmoiled and almoſt tired in thoſe tumultuous ſeas.

Small comfort for the Admiral.

Suffering on waters, fear on land.

"You ſuffer on the waters, we feare on the "land." And he proceeded to explain the ſources of the fear. "The deſires and

* MS. State Paper Office, January, 1641-2.

" endeav[rs] of men, especially of such as Rule, Jacob and
" are so diverse, that wee seeme to bee now Esau.
" in this K.dom like to the pregnant wombe
" of Rebecca, which teemes of discourse and
" affections, some labouring to bringe forth
" the Honest Jacob of order, tranquillitie, Two parties out of
" and peace, others the Rough Esau of dis- House:
" cord and ruine." Yet one advantage had already attended the attempt made on the House of Commons. It was expected that in future there would be less disagreement, and a more general co-operation for the public good, than before was noted therein. " Wee but the
" are not," continued Mr. Smith, " altogether leaders honest:
" out of hope of a Good Period in regarde
" those y[t] rule in Parlem[t] are both honest and
" able men. If distractions and confusions
" come, 'twill be from some factious firebrands
" that trouble the Court, abuse his Ma[tie], and and only
" seeke to fish in troubled waters; and, through one party now in
" feare of being rewarded according to theire House.
" merit, do labor to bring all things to ruine
" with themselves. But the Good God will
" not suffer them long thus to divide betwixt
" O[r] good King and his People, whom they
" traduce wth false report of Rebellion, where-
" as indeede they are the greatest and only Sole rebels
" Rebells I know in England, and go about in England.
" y[e] K.dom raising tumullts and false reports
" to putt the land into an uproar if they can,
" and scandalize the hon[ble] and just Proceed-

" ings of the Parlem^{t} wth lying and unjuſt " imputations."*

This diſcreet and temperate man, writing thus a few days after the King's attempt, found not more miſery occaſioned by firebrands ſuch as Digby, than by thoſe more ſecret agents of confuſion who went about creating jealouſies and diſlikes againſt the Parliament, of whom it will not be unjuſt, upon his own account of his own proceedings at the time, to ſelect Hyde as by far the moſt prominent example. And to underſtand the poſition he had in that reſpect taken up is neceſſary, in his inſtance not leſs than in that of Digby, to a proper comprehenſion of the ſequel of theſe extraordinary ſcenes.

Open and ſecret enemies.

Cauſe for this digreſſion.

Hyde acknowledges,† that, ſeveral weeks earlier than the attempted arreſt, he had become ſecretly the King's private counſellor, and had in conſequence withdrawn from ſo frequently or publickly as before taking part in the proceedings of the Houſe. So early as during the Remonſtrance Debates, indeed, he was, as in a former work has been ſhown,‡ ſupplying the King with reſolutions and papers of the Houſe in their firſt rough draft; and, in many paſſages of the Memoir written by himſelf, his *modus operandi* is deſcribed in

Hyde the king's private adviſer:

Supplies ſecret papers and information.

* MS. State Paper Office. Thos. Smith (from York Houſe) to Admiral Pennington: January, 1641-2.

† *Life*, i. 98-100.

‡ See my *Hiſt. and Biog. Eſſays*, i. 142, &c.

detail, entirely without diſguiſe, and even with a chuckling ſelf-ſatiſfaction.* He ſeems to take an odd kind of pride, in avowing openly the double part he played in the Houſe and in the back ſcenes of the Court; while he was unſcrupulouſly uſing his opportunities of obtaining knowledge of the ſecrets of the popular leaders, for no other purpoſe than to betray them to the King. Several curious unconſcious illuſtrations of the ſame double-dealing are recorded alſo in the Journal of D'Ewes.

Playing double and falſe.

Betrays the Commons to the King.

When, ſhortly after theſe events, Lord

* For example (*Life*, i. 102-3): "And ſo they (Viſcount Falkland, Sir John Colepepper, and Mr. Hyde) met every "night late together, & communicated their obſervations & "intelligence of the day; & ſo agreed what was to be done "or attempted the next; there being very many perſons of "condition & intereſt in the Houſe who would follow their "advice, & aſſiſt in anything they deſired . . . And after "their deliberation together, what was to be put in writing "was always committed to Mr. Hyde; and when the King "had left the town, he writ as freely to the King as either "of the others did . . . . and now when the governing "party had diſcovered the place of the nightly meetings, "that a Secretary of State and a Chancellor of the Exchequer "every day went to the lodging of a private perſon, who "ought to attend them, they believed it a condeſcenſion that "had ſome other foundation than mere civility." And in another remarkable paſſage he ſays (i. 130-133): "They had "long deteſted and ſuſpected Mr. Hyde, from the time of "their firſt Remonſtrance, for framing the King's meſſages "and anſwers, which they now every day received, to their "intolerable vexation: yet knew not how to accuſe him. "But now that the Earls of Eſſex and Holland had diſ-"covered his being ſhut up with the King at Greenwich, and "the Marquis of Hamilton had once before found him very "early in private with the King at Windſor, at a time when "the King thought all paſſages had been ſtopped; together "with his being of late more abſent from the Houſe than he "had uſed to be; and the reſort of the other two every night "to his lodging, as is mentioned before; ſatiſfied them that "he was the perſon."

Private meetings in Hyde's lodgings.

Suſpicions againſt him.

Hyde ſhut up with Charles.

Compton, the member for Warwickſhire, and Sir Edward Baynton, who ſat for Chippenham, had been ſent with a meſſage from the Houſe to the King, replying to a complaint againſt one of Pym's ſpeeches, they reported on their return that they had duly delivered the meſſage, and that the King gave them for an anſwer that he was altogether unſatiſfied that Mr. Pym had any ground for the bold aſſertion he had made. Whereupon Mr. Pym ſtood up and ſaid he conceived there needed no further declaration to ſatiſfy his Majeſty; and Sir Edward Baynton called the attention of the Houſe to the fact, that ſuch reply from his Majeſty was not given upon the ſudden, for that, as they gathered from ſome expreſſions of the King, "he had ſeen the ſaid meſſage "before they gave it him." * In like manner alſo, when, ſome week or two earlier, the famous ſtruggle with the King upon the Newmarket Declaration had been in progreſs, D'Ewes relates† that "Mr. Pym delivered in a letter directed "to him, ſuperſcribed 'John Pym, Eſq. at "'his Lodgings in Weſtminſter,' which had "been found by Simon Richardſon and John "Walker, two watchmen of Weſtminſter, in "the Palace Yard. It had no name to it: "but the writer ſaid in ye beginning of it that "not knowing how to venture ſafely, he

Complaint of the King againſt Pym.

Pym's rejoinder.

Meſſages ſent before voted.

The Houſe warned againſt treachery.

Letter to Pym.

* *Harl. MSS.* 163, f. 438 b. † *Ibid* 163, f. 246 a.

" had ſent him this letter, and cauſed it to be
" dropped in the ſtreet, having done ſo with
" two formerly: notwithſtanding his danger if
" he ſhould be diſcovered, yet he had adven-
" tured out of love to his country to give him
" timely warning. *That nothing was done in* Able members informed againſt.
" *the Houſe, but ſome able members amongſt us*
" *ſent it, as well as all meſſages intended for*
" *him, to his Majeſty before they came from us,*
" *and ſent him alſo heads ready framed for his*
" *anſwers.* That the King was reſolved to King's preparations.
" uſe force, and that we ſhould find the Navy
" of England turned againſt us. That he
" had heard the King ſay he had the nobility,
" gentry, and divers honeſt men of his ſide.
" That the Parliament had irritated the mili- Parliament in danger.
" tary men and denied them employment in
" Ireland, and ſo prepared ſwords for their
" own throats."

The contents of the letter it is not neceſſary further to dwell upon, but circumſtances gave to them afterwards much weight; and that Hyde was diſtinctly aimed at, every one appears to have taken for granted. Means were adopted immediately after to put ſome check to his opportunities of treachery; but the fact of ſuch ſecret enemies exiſting within the Houſe, more dangerous than its open aſſailants, and ſuſpected ſtrongly while yet the truth was not perfectly eſtabliſhed, ſhould avail againſt any haſty or harſh judgment of the precaution- Charge aimed at Hyde.

Self-defence againſt treachery.

ary and repreſſive meaſures which it forced in ſheer ſelf-defence upon the leaders.

That ſuſpicion ſhould have lighted upon Hyde, moreover, as ſoon as the King's attempt was made, will hardly ſeem ſurpriſing after the ſecret hiſtory that D'Ewes diſcloſes. This ſuſpicion he frankly confeſſes himſelf. He tells us* that ſome friends of his who loved him very well, had warned him that he was pointed at as one of the contrivers of the arreſt, all the more certainly becauſe of his known friendſhip with Digby; and they had adviſed him ſo to carry himſelf, in the debates which ſhould ariſe upon it, that it might evidently appear that he did not approve of it, or was privy to it. Notwithſtanding which good advice, he adds in another place, he did ſpeak on a particular occaſion in a ſenſe adverſe to the claim of parliamentary privilege in matters of treaſon, though amid noiſe and clamour, and with wonderful evidence of diſlike.† He even profeſſes to give an abſtract of what he ſaid; and would appear to have ſaid ſo ill, that, but for the purpoſe of ſhowing how poor was the ſtrongeſt caſe that ſuch an advocate could put againſt the overwhelming argument on the other ſide, it would not be neceſſary to give an abſtract of it here. It is only by a perſiſtent miſrepreſentation that he makes out any caſe at all; for it cannot be too often repeated that

Hyde accuſed of adviſing arreſt:

ſuggeſtion of his friends not to defend it.

Alleged ſpeech upon impeachment.

Groſs miſrepreſen-

* *Hiſt.* ii. 136. † *Hiſt.* ii. 138, 139.

never, from the firſt of theſe proceedings to the laſt, was it aſſumed on the ſide of the accuſed members that privilege of Parliament could or ought to run in a caſe of felony or treaſon. tation therein.

On the occaſion now pretended (for no circumſtance of identification is connected with the ſpeech, and no clue given to when it was ſpoken, beyond the general ſtatement that it was upon certain votes being propoſed "at the "Committee" to be ſubmitted at the re-aſſembling at Weſtminſter), Hyde took upon himſelf to warn the Houſe to take heed that they did not, out of tenderneſs of their privilege, which was and muſt be very precious to every man, extend it further than the law would ſuffer it to be extended; that the Houſe had always been very ſevere upon the breach of any of their privileges, and in the vindicating thoſe members who were injured; but that the diſpoſing men to make themſelves judges, and to reſcue themſelves or others, might be of evil conſequence, and produce ill effects: at leaſt if it ſhould fall out to be, that the perſons were arreſted for treaſon, or felony, or breach of the peace; in either of which caſes, there would be no privilege of Parliament.* All which was as well known to Mr. Pym and Mr. Hampden as to Mr. Hyde, nor was the remoteſt pretence to aſſert or Pretended occaſion for ſpeech. Argument of ſpeech: no privilege for felony or treaſon: undiſputed by Pym and Hampden.

* *Hiſt.* ii. 138-9.

juſtify the contrary ever ſet up by either. They muſt have ſcouted ſuch arguments, if employed at all; and the real truth I believe to be, that ſuch a ſpeech was never ſpoken.

Imputation againſt leaders of the Commons.

Of courſe it tells extremely well in the Hiſtory of the Rebellion, that Mr. Hyde, amid noiſe and clamour, and with wonderful evidence of diſlike, ſhould have taken a line of reaſoning ſo manifeſtly juſt, that if we believe him to have uſed it, and that ſuch was the reception given to it, we muſt attribute to the leaders on the other ſide, to whom he profeſſes to have been replying, a tone and argument as manifeſtly *un*juſt. It will hereafter be ſeen more plainly how falſe ſuch an inference would be. Suffice it for the preſent to point out

No proof exiſting that the ſpeech was ſpoken.

that no trace of any ſuch remarks by Hyde, or of his participation in one of the debates ariſing out of theſe tranſactions, is diſcoverable in any ſhape or form. From the expreſſions uſed it might be aſſumed, that he was ſpeaking on the Reſolution of the Houſe that any one attempting to give effect to the confeſſed illegality of the Impeachment, by arreſting the Members whom it accuſed, and whom the King, in a ſubſequent as illegal proclamation, had outlawed, would be guilty of a breach of privilege. But he was certainly not preſent when that reſolution was moved. He ſeems to wiſh us to infer, that the ſpeech might have been delivered on one of the days when

Hyde not in the Houſe:

the Grocers' Hall Committee were preparing resolutions to be passed on the House re-assembling.* But D'Ewes has carefully reported each day's proceeding of that Committee, without the remotest reference to Hyde. nor at Guildhall or Grocers' Hall.

It was easy, in short, with no record of the debates existing to confront him, to take the credit of having so spoken, and to fling upon the popular leaders the discredit of having forced him so to speak. D'Ewes now enables us to state, however, with an almost absolute certainty, that not even on one occasion did this active member of the House, this incessant and untiring orator against the Remonstrance, speak for or against the proceedings of the 3rd and 4th of January.† His name nowhere appears as having been even present. Culpeper and Falkland, Sir Ralph Hopton and Mr. Herbert Price, noted partizans of the King, are in the list of the Committee appointed to No evidence that Hyde took part in debates on arrest.

* It is a very significant circumstance, with reference to the doubt thus suggested, that in his text as undoubtedly left by himself (in a fair copy made by his secretary) for publication, the introduction to the mention of this speech is simply: "And these votes the House confirmed, when they were "reported: though in the debate it was told them, &c." It is only from the notes and additions found by comparison with one of his additional illustrative papers (lettered B), that the words to be now quoted in Italics are supplied by the edition of 1826: "And these votes the House confirmed, when "they were reported: *which caused some debate, and Mr.* "*Hyde (notwithstanding the good advice that had been given* "*to him) told them,*" &c. &c. ii. 139. Inconsistency in Hyde's MS.

† When upon a former occasion Hyde's absence was remarked, his friend Falkland had to suggest an excuse for it (Clarendon's *State Papers*, ii. 141, where the letter, manifestly belonging to March 1640-41 is placed under 1642): so constant and punctual were his ordinary attendances.

meet in the City; but not Hyde. Many not on the liſt of the Committee, to which all who came had voices, are yet carefully recorded as taking part in the debates. But no where do we find Hyde's name. He ſeems to have been ſo impreſſed by that advice of the friends who loved him, to be careful not to ſhow any approval of the King's attempt, as for the time to abſent himſelf from the Houſe altogether.

Reaſons for abſenting himſelf.

Prudent advice it unqueſtionably was, and given doubtleſs by men who not only knew the need for it in the particular caſe, but, friendly to the King as they were, ſaw the real iſſue which his failure had made inevitable, and which Hyde could now better help by other methods than that of public ſpeaking in parliament. It ſhifted the ſtruggle to other ſcenes than thoſe it had heretofore occupied. Mr. Hallam is no friendly critic of the popular leaders at this criſis, but he finds himſelf compelled to admit that the ſingle falſe ſtep which rendered the King's affairs irretrievable by anything ſhort of civil war, and placed all reconciliation at an inſuperable diſtance, was the attempt to ſeize the five members within the walls of the Houſe.* Plainly, it was an

His help more uſeful elſewhere.

Appeal to force.

Hallam's view of impeachment.

* *Conſt. Hiſt.* ii. 126 (ed. 1855). "An evident violation," Mr. Hallam adds, "not of common privilege, but of all "ſecurity for the independent exiſtence of parliament, in the "mode of its execution." The paſſage of his *Monarchy or no Monarchy* (ed. 1651), in which William Lilly expreſſly records his opinion that the act of the 4th January 1641-2 coſt Charles the Firſt his crown, is well worth ſubjoining for

appeal to force. Both parties felt it, and both instinctively turned in the direction where alone,

the curious facts it contains, and for its incidental corroboration of much that has been adverted to in my text. After remarking that the result proved that the King had really no evidence against the accused members but his own thoughts, as he himself confessed, he proceeds: "And surely, had it been in his "power to have got their bodies, he would have served these "members as he did Sir John Eliot, whom without cause he "had committed to the Tower, and never would either "release him, or show cause of his commitment, till his death. "This rash action of the King's lost him his crown. For, as "he was the first of kings that ever, or so imprudently, brake "the privileges by his entrance into the House of Commons "assembled in parliament, so, by that unparalleled demand of "his, he utterly lost himself, and left scarce any possibility of "reconcilement; he not being willing to trust them, nor they "to trust him, who had so often failed them. It was my "fortune that day to dine in Whitehall, and in that room "where the Halberts, newly brought from the Tower, were "lodged for the use of such as attended the King to the House "of Commons. Sir Peter Wich, ere we had fully dined, "came into the room I was in, and brake open the chests "wherein the arms were, which frighted us all that were "there. However, one of our company got out of doors, and "presently informed some members that the King was pre-"paring to come in to the House: else I believe all those "members, or some of them, would have been taken in the "House. All that *I* could do farther was presently to be "gone. But it happened also the same day that some of "my neighbours were at the Court of Guard at Whitehall, "unto whom I related the King's present design, and con-"jured them to defend the Parliament and members thereof, "in whose well or ill doing consisted our happiness or mis-"fortune. They promised assistance, if need were; and I "believe, would have stoutly stood to it for defence of the "Parliament or members thereof. The King lost his reputa-"tion exceedingly by this his improvident and unadvised "demand: yet, notwithstanding his failure of success in the "attempt, so wilful and obstinate was he, in pursuance of that "prepostrous course he intended, and so desirous to compass "the bodies of those five members, that the next day he posted "and trotted into the City to demand the members there: he "convened a meeting at the Guildhall, and the Common "Council assembled: but *mum* could he get there; for the "word, *London Derry*, was then fresh in every man's "mouth." Some years before, against the advice even of Strafford himself, the City of London had been dragged

William Lilly as to arrest of members.

Cost the King his crown.

All confidence at an end.

A dinner party on day of arrest.

Belief as to outrage intended.

King's obstinacy.

for either, now lay ſtrength and ſafety. Every-
Impreſſion to be made on the people. thing depended hereafter on the impreſſion to be made upon the people, and on the reſponſe it might be poſſible to obtain from the great maſs of the inhabitants of London.

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§ XXIII. Sir Simonds D'Ewes and Speaker Lenthal.

Further pauſe in narrative required. But before reſuming the courſe of my narrative, already interrupted by the neceſſity of interpoſing the foregoing ſection, it ſeems deſirable to make further pauſe for introduction of other matter alſo of a perſonal kind, from which not merely the general ſubject, but the particular ſcenes in which its ſtriking intereſt conſiſts, will receive eſſential illuſtration. What is ſoon to paſs in debate within the Houſe, or at Guildhall or Grocers' Hall in the City, during thoſe days of excitement following the attempted arreſt which wait to be deſcribed, will have for its principal authority the Journal of D'Ewes; and while that rich and curious manuſcript lies open before me, I propoſe, before paſſing to thoſe later ſcenes, to draw from it ſome inſtances and examples in proof of its claim to be received as an authentic record, by which the pecu-

Manuſcript Diary of D'Ewes:

into the Star Chamber, and, on the falſe pretence of ſome invalidity of a grant by James the Firſt, mulcted not only of their plantation of Derry, but in a heavy fine as well.

liarities both of D'Ewes and Lenthal will be characteriſtically diſplayed, and amuſing as well as valuable information afforded as to the forms, the uſages, the diſcipline, and the management of the Houſe of Commons,* in theſe memorable days of its hiſtory. illuſtrations to be drawn from it.

Let me, then, firſt impreſs upon the reader (it cannot be done too often or too ſtrongly) that Sir Simonds D'Ewes is really, in regard to all the matters under diſcuſſion in theſe pages, ſo far a moſt reliable witneſs, that his ſympathies were never decidedly, or at all actively, with the members accuſed or any of their more intimate friends. Within certain limits, his ſtrong Puritan opinions, and the deference really felt for, and paid to, his knowledge of precedents and conſtitutional forms, cauſed him to act ſteadily with them; but the more attention he received, the more he was diſpoſed to claim, until, taking literally a half jeſting remark made by Sir William Lytton † that really the Houſe could not poſſibly ſpare him, he put himſelf forward ſo inceſſantly on every queſtion, embarraſſed ſo many by his pedantic exaggeration of trifling rules and D'Ewes a reliable witneſs. Not a thorough-going party man.

* For others I may be allowed to refer the reader (all repetitions here of matter formerly publiſhed being carefully avoided) to the notes to the Eſſay on the Debates of the Grand Remonſtrance in *Hiſt. and Biog. Eſſays*, i. 1-175.

† He had been of material ſervice to the member for Hertfordſhire in expoſing the forged ſignatures to a royaliſt petition from that county. See my *Hiſt. and Biog. Eſſays*, i. 89.

forms, and ſpared the Houſe itſelf ſo little, that even his extraordinary learning loſt its reliſh, and he fell into ſad perſonal differences with the leaders, even while in hearty agreement with their general policy and aims. Hampden became too "ſerpentine" and "ſubtle" for him. Denzil Hollis was too "proud" and "ambitious." Strode was too much of a "firebrand" and "notable profaner of the Scriptures," and had "too hot a tongue." Glyn alſo was a "ſwearing profane fellow." Haſelrig was too "violent." Harry Marten was a "fiery heathen," and had a too "ſcurrilous "and windy wit." With a ſneer, in like manner, he qualifies an attack upon the impetuoſity of Nathaniel Fiennes, "though he hath amongſt "his other good parts an able voice." And if he does not uſe the ſame tone or apply ſimilar epithets to Pym (all now quoted were applied within a very few weeks of the incidents in this narrative, for, at a later time, he uſed even leſs ſcrupulous ſpeech), it is becauſe that great popular leader, with a profound knowledge of the ſtrength of his party, had alſo a wiſe deference for the weakneſſes and vanity of individual members of it, and was always ready with the conceſſion that ſubſtantially yielded nothing, while it ſoftened anger, quieted fears, and was ſoothing to ſelf-eſteem.

Differences with the leaders.

Epithets applied to the popular chiefs.

Why more tolerant of Pym.

Pym more tolerant of him.

To take one inſtance out of many, which will

alſo ſhow the perſonal poſition in which D'Ewes generally ſtood to the party with whom commonly he acted, I give his account of an incident, full of character, which aroſe out of the diſcuſſion of one of the anſwers to a meſſage of the King in the courſe of the preſent differences. Pym had drawn up the anſwer, and ſome expreſſions in it were ſtrongly objected to by Mr. John Vaughan, the Royaliſt member for Cardigan, when ſuddenly it occurred to D'Ewes that there might be ſomething in the objection ſo taken.

Diſcuſſion upon anſwers to a royal meſſage.

"Mr. Pym read the Anſwer, or Declara- "tion, to his Majeſty's meſſage. Divers "called to have it put to the queſtion, but "Mr. Vaughan ſtood up and deſired us to "conſider well two things in it: 1. the King's "raiſing of men to be to the terror of his "people; 11. where we ſaid we would not "obey his Commiſſioners. Mr. Pym anſ- "wered him ſomewhat ſuperficially" (D'Ewes means, in the literal ſenſe of the word, that Pym ſpoke curſorily or ſlightingly), "and yet "divers called to put the Declaration to the "queſtion: which made me, juſt as the "Speaker was ſtanding up to put the queſ- "tion, to ſay"—urging thereon more ſtrongly Mr. Vaughan's objection. "As I was pro- "ceeding," he reſumes, "ſome indiſcreet "and violent ſpirits interrupted me, and "called — to the Queſtion! Whom the

Objection taken by Royaliſt members.

D'Ewes ſupports objection.

Is aſſailed by violent ſpirits.

Perſiſts in ſpite of them. "Speaker having firſt reproved, I went on." The worthy Baronet very decidedly expreſſed himſelf, in ſhort, in favour of moderate and conciliatory ſpeech. "It concerned us much "to weigh all our expreſſions, and not leave "the kingdom without all hope or poſſibility "of an accomodation between his Majeſty and "us, leſt ſo we precipitate things into ſpeedy

Receives encouragement. "confuſion. After I had done Mr. Peard "ſtood up, and did with great vehemency "reprove thoſe indiſcreet and fooliſh members "who had interrupted me firſt: ſhowing "breach of privilege, &c. When I ſat down, "many diſcreet and ſober members called on "me ſtill to ſpeak and go on. And Mr. Pym "alſo, who had made report of the ſaid Decla-

Pym's "diſcretion and modeſty:" "ration, did with much diſcretion and modeſty "approve what I had ſpoken, and coming "himſelf to the Clerk's table, did amend the "ſaid Declaration according to the advice I "had given." (It involved little beyond the change of a few letters.) "Which being read

adopts the amendment. "was approved of, and thoſe indiſcreet ſpirits "that interrupted me had not a word to ſay "againſt it."*

Mr. Strode leſs civil: On the other hand obſerve the conduct of that "firebrand" Mr. Strode, on a preciſely ſimilar occaſion, when what is called the Newmarket Declaration was under diſcuſſion. "Divers," ſays D'Ewes, "ſpake after me;

* *Harl. MSS.* 163, f. 467 b. Another ſimilar inſtance

" and Mr. William Strode, having ſpoken " twice before, ſtood up and ſpake the third " time, and related the ſame matter in ſub- " ſtance; which made me ſtand up and " ſpeak to the order of the houſe and inter- " rupt him, &c. He ſat down, and divers " laughed, and ſome ſpake after him." * Speaks thrice: and gets laughed at.

Generally it is to be remarked, upon all theſe ſcenes, much to the credit of the Houſe, that the moderation and temper of D'Ewes, when diſcreetly put forward, ſeems hardly ever to have failed of its effect. When the Declaration was under diſcuſſion, in which, upon intelligence received of the ſchemes ſet on foot for raiſing money abroad, ſome very plain truths were addreſſed to the King, he interfered, almoſt as zealouſly as Sir Ralph Hopton, and much more ſucceſſfully, to obtain abatement of ſome of its terms. He had left the Houſe between four and five o'clock that afternoon,† while the debate was in progreſs, and on his return between five and ſix he found Sir Ralph withdrawn into the committee chamber, and the Good humour of the Houſe. Moderation of D'Ewes.

will be found of a moderating expreſſion moved by Pym and ſeconded by D'Ewes, *Ibid* 163, f. 518 b.

* *Harl. MSS.* 163, f. 431 a.

† In a characteriſtic entry of earlier date, D'Ewes lets us into the ſecret of theſe retreats from the Houſe during the afternoon hours of a long debate. "I returned into the " Houſe," he ſays, "between 5 and 6 o'clock at night, and " it was my good fortune that I withdrew ſo ſeaſonably " between 2 and 3 as I did, having by that means freedom " for ſome hours, and convenience of ſupping in time, and on " my return I heard almoſt the whole matter debated over " again." *Harl. MSS.* 162, f. 354 b. Withdrawing for ſupper.

Propoſed cenſure of Sir Ralph Hopton.

Houſe in ſharp debate what cenſure to lay upon him. "The words he had ſpoken were "occaſioned on the reading of that part of "the Declaration which ſhowed that the Pope's "Nuncio had ſolicited the Kings of France "and Spain to ſend each of them 4000*l.* to "his Majeſty againſt the Parliament, and that "we did believe his Majeſty could not give "ear to ſuch counſels unleſs he meant to "change his religion. Upon which the ſaid "Sir Ralph Hopton ſtood up and ſpake "very vehemently againſt the ſaid article, "ſaying, amongſt other particulars, that we "did thereby charge the King with apoſtacy.*

Pope ſoliciting help againſt Engliſh Parliament.

King accuſed of Popiſh deſigns.

* Clarendon refers to this incident, and ſays that Hopton charged the Houſe with accuſing the King of deſigns favourable to Popery on evidence that would not hang a conſtable. But, to ſay nothing of the letters found after Naſeby, all that has ſince been diſcovered of the ſecret purpoſes and deſperate expedients reſorted to by Charles the Firſt, tends directly to ſhow how thoroughly well informed, though unable always to give up their informants, the leaders of the Houſe of Commons were. As to Charles's undoubted negotiations for the procuring foreign help againſt the Parliament on condition of ſpecial ceſſions to the Roman Catholic faith, ſee my *Eſſays*, i. 75-6. Let me add that there is a very curious letter in the Clarendon *State Papers* (ii. 141-2) which may be quoted, not only in aid of what has been ſaid (ante, 32 and 49) of the ſuſpicion of Secretary Windebank's illegal practices in favour of the Roman Catholic religion, but in proof of the intereſt with which Engliſh politics were now regarded in Rome, and of the prudent and ſomewhat ominous reſerve which, preciſely at the very date of the incident deſcribed in my text, had fallen ſuddenly on the Pope's nephew and one of the leading Cardinals, otherwiſe accuſtomed, as it would ſeem, largely to indulge in garrulity about England. Writing, to his brother-in-law Hyde, from Rome at the cloſe of March 1642, Mr. Ayleſbury ſays: "The laſt week, we came from Naples; "where we met with an Engliſh Franciſcan Friar, called "Father Morton; who uſed us exceeding civilly, and has a

Too many grounds for ſuch imputation.

Engliſh politics at Rome.

Letter to Hyde from brother-in-law.

"After which, though he explained himſelf, "and acknowledged his fault to proceed from "his miſtake, yet the Houſe would not reſt "ſatisfied, but cauſed him to withdraw." * When D'Ewes entered, Sir Henry Herbert, the member for Bewdley, was ſpeaking in mitigation of his offence (againſt a propoſition for diſabling him which the member for Bletchingly, Sir John Evelyn, had ſtarted), and in favour of the more moderate ſuggeſtion that he ſhould be permitted to purge his fault by a few days lodgment in the Tower. Such cen-

Hopton's offence.

His expulſion moved.

"great mind to go into England to accuſe Secr^y Windebank "of greater matters than the parliament ever laid to his "charge. I aſſure you the diſcourſe he makes of him is "very good ſport; and in theſe ſad times I could wiſh you "had him amongſt you to make you merry. At Rome there "are graver gentlemen; but I underſtand nothing of them "but their civility, which is as much as can be imagined. "Indeed, from the higheſt to the loweſt, they are all ſo. The "other day we were with the Cardinal Franceſco Barberino, "the Pope's nephew, and had a long audience of him, but "not a word of England, though I ſought all I could to put "him into that diſcourſe of which he is very well informed, "and at other times liberal enough. For, Sir Walter Pye "having been with him ſome days before, all his diſcourſe "was to perſuade *him* that the troubles of England and "Ireland have never been fomented by any of the Pope's "miniſters: and that they all wiſhed the flouriſhing eſtate of "our country. Beſides, he made particular mention to him "of Mr. Pym, Mr. Hampden, Mr. Hollis, and ſome others." What ſort of "particular mention" Pym and Hampden are likely to have attracted to themſelves in the halls and council chambers of the Vatican, it would not be difficult to imagine; and he muſt have been a very clever Cardinal indeed if he managed to impreſs any Engliſh traveller with the belief that he, one of the higheſt dignitaries of the Roman Catholic Church, took an impartial intereſt in the welfare of thoſe famous members of the Engliſh Commons. The reference, however, is at leaſt remarkable.

The Pope's nephew: has not fomented Engliſh troubles.

His "intereſt" in Pym and Hampden.

* *Harl. MSS.* 163, f. 410 a.-414 b.

ſures being very much matter of precedent, Sir Simonds at once plunged into the debate, and claimed hearing from the Speaker. But Sir John Evelyn was ſo loudly called for, that D'Ewes was fain, after beginning his ſpeech, to give way. "After Sir John ſat down," he proceeds, "I ſtood up to continue my former "ſpeech where I left off; but ſome violent "ſpirits, whom otherwiſe I eſteemed very "honeſt men, fearing that by my ſpeaking I "might prevent the putting of the queſtion "for diſabling Sir Ralph, which I did, would "fain have interrupted me, crying out He hath "ſpoken! he hath ſpoken! But they, being "ſoon aſhamed of the breach of the order of "the Houſe and their own violence, became "ſilent and I proceeded, ſhowing that indeed "my very worthy friend on the other ſide "(and here I pointed to Sir John Evelyn) "did break the order of the Houſe in inter-"rupting me after I had begun."

D'Ewes's ſpeech in mitigation.

Interrupted by the hot ſpirits.

Appeals to order.

The reſult of Sir Simonds's interference was the more moderate courſe of ſending Hopton to the Tower; and when Sir Walter Earle, upon this, moved that Sir Ralph ſhould not be enlarged but in a full Houſe, D'Ewes ſenſibly pointed out what injuſtice this vague expreſſion might involve, and induced the majority to conſent to receive the petition for releaſe on any day when tendered, provided always it was between the hours of two and

His ſuggeſtion adopted by Houſe.

four o'clock. He then goes on to ſay, that, the original debate on the Declaration having been reſumed, he objected himſelf to expreſſions in it, "condemning them almoſt as "much as Sir R. Hopton had done, but with "better ſucceſs, for amendment enſued on my "motion." Still he was not ſatiſfied; and when, on the following day, it was finiſhed and paſſed upon the queſtion, he adds: "many par-"ticulars continuing in it, full of irritating and "rigid expreſſions to his Majeſty concerning "his own words and actions, which I utterly "miſliked: for we might have declared the "whole and naked truth as well in reverential "and humble words, as in ſo high and aſperous "terms."*

Makes ſimilar objection to Hopton's:

with better ſucceſs.

D'Ewes's love of moderate ſpeech.

Upon another occaſion, however, he found himſelf leſs decidedly in ſympathy with that ardent royaliſt, "Hopton of the Weſt," and

Another caſe for cenſure.

* *Harl. MSS.* 163, f. 414 b. On that ſame day ſo remarkable an entry appears alſo in D'Ewes's Journal, carrying with it ſuch marks of generous conſideration on the part of the Houſe to the memory of a great opponent, that the reader will thank me for ſubjoining it. "Upon Mr. Denzil Hollis's "motion it was ordered that the young Earl Strafford, being "ſome fifteen years old, being nephew to the ſaid Mr. Hollis, "being his ſiſter's ſon, and whom the King by letters patent "created Earl Strafford ſince the attainder of his father, ſhould "continue his troop in Ireland and receive his pay thereof, "though he were not there preſent: the ſaid Mr. Hollis under-"taking to ſee his abſence properly ſupplied." It is curious that the order which rendered this ſpecial application neceſſary, was one introduced under the government of the young man's father, the great Earl; who reſiſted nothing more ſtrongly in Ireland than the abuſe of abſenteeiſm and non-reſidence in every poſſible form, whether it were in the captains of regiments or the proprietors of eſtates.

Remarkable entry in Journal.

Generoſity of Houſe to Straford's ſon.

by no means diſpoſed to mitigate puniſhment to an offending member. This was when Sir Edward Dering, in leſs than a month after the arreſt of the members, had printed his ſpeeches againſt the Grand Remonſtrance, with a preface ſo ill-judged and indiſcreet, remarking upon members of the Houſe and otherwiſe ſcandalizing its orders of debate, that opportunity was taken to vote his expulſion. The propoſal found an ardent ſupporter in D'Ewes. He had no mercy for any one who departed from precedent, violated old uſage, or committed breaches of parliamentary decorum; and, entering the Houſe juſt as the debate began, and finding attempts made to evade the motion by no ſharper cenſure than the Tower, he tells us that he loſt all patience.

Sir Edward Dering's publiſhed ſpeeches.

D'Ewes's indignation thereat.

"After I had heard divers ſpeak," he ſays, "and ſaw a great part of the Houſe begin to "incline to inflict no other puniſhment on "him than ſending him to the Tower, I was "very much troubled at it; eſpecially when "Sir R. Hopton ſaid that we might retain "him *becauſe of his great parts.*" At this, unable to contain himſelf any longer, he ſtarted up; detailed the offences of the book; denounced the preſumption of the author; deſcribed him ſo overvaluing himſelf in his "moſt ſcandalous, ſeditious, and vain-glorious "performance," as if he had been able of himſelf to weigh down the balance of that Houſe

Would have Dering expelled.

Denounces his vain-glorious preface.

on either ſide when he pleaſed; pointed out the evil conſequence of printing ſuch arguments, without alluſion to the anſwers made thereto; dwelt upon the outrage to the freedom of debate as unpardonable, ſeeing that he had therein diſcovered the ſecrets of the Houſe, had diſcredited the acts of the Houſe, and had named members of the Houſe (among them Mr. O. C. by which the member for Cambridge was plainly intended) to their diſgrace; and he concluded by declaring that if he himſelf, member for Sudbury, ſhould ever be ſo unfortunate as to offend that aſſembly in ſo high a nature, he would rather hide himſelf for ever in a cell than enter again within thoſe walls! "As ſoon," he continues, "as I "had ſpoken, having delivered myſelf with "ſome vehemence, the Speaker ſaid preſently "to ſome about his Chair, 'You may ſee, now, "'what Sir Edward Dering's friends have pro-"'cured him, by endeavouring to have a ſmall "'cenſure paſſed upon him.'"* The tide had turned againſt Sir Edward. The determination became ſtrong, not only to expel the writer, but to put a mark of opprobrium on the book; and though D'Ewes ſenſibly reſiſted Sir Walter Earle's motion for "calling it in," on the ground that ſuch a proceeding would raiſe the price of it from fourteen pence to

Dering's attack upon the Houſe.

Mr. O. C. libelled.

Mr. Speaker compliments D'Ewes.

Objection to ſuppreſſion of a book:

* *Harl. MSS.* 162, f. 366 b.

will raiſe value from fourteen pence to fourteen ſhillings.

fourteen ſhillings, and haſten a new impreſſion,* he did not oppoſe Mr. Oliver Cromwell's ſuggeſtion for remitting it to the hands of the common hangman. It was, by a majority of 85 to 61, ordered to be burnt in Palace Yard, Cheapſide, and Smithfield, on the Friday following. Dering was expelled; and a warrant iſſued for a writ for Kent to chooſe a new knight.

Dering expelled and his book burnt.

Between that day and the next, however, a doubt ſeems to have occurred to the honorable member for Cambridge whether to burn a book were quite the beſt way of anſwering any dangerous matter contained in it; and D'Ewes relates accordingly what took place near the cloſe of the ſitting on the following day.† "Mr. Oliver Cromwell," he ſays, "moved "that Sir E. Dering's book, lately ſet out by "him, had many dangerous and ſcandalous "paſſages in it, by which many muſt be de- "ceived and led into an ill opinion concerning "the proceedings of this Houſe; and there- "fore deſired that ſome able member of the "Houſe might be appointed to make a ſhort "confutation of the ſame. And then he "nominated Me. Which made me preſently "ſtand up and anſwer, that I conceived that "the gentleman who laſt ſpoke did not dream

A ſuggeſtion from Mr. Oliver Cromwell.

Will D'Ewes anſwer Dering?

* This paſſage of the debate was referred to in my *Hiſt. and Biog. Eſſays*, i. 89, but the details here given have not before been preſented. † *Harl. MSS.* 162, f. 368 a.

" that it was now near 7 of the clock at night,
" or elſe that he would not at this time have
" made ſuch a motion as he did: for, if I
" could but gain ſome ſpare time from the
" public ſervice of the Houſe, I have other
" things to print, of more public uſe and
" benefit than the confutation of Sir E.
" Dering's ſpeech could be: and therefore I
" deſired that the gentleman himſelf who
" made the motion, might be deſired to under-
" take the taſk. The Speaker then deſired
" that I would print that, that would be for the
" public good." And with this polite intimation from Mr. Speaker, unſeconded by any eagerneſs on Mr. Cromwell's part to aſſume himſelf the literary labour he would have impoſed on D'Ewes, the ſubject dropped.

D'Ewes declines: has better things to do.

Might not Mr. Cromwell do it?

It will not be out of place to connect with it, and the illuſtrations formerly given of the general truſtworthineſs, as well as temperate and moderate ſpirit, of a man to whoſe manuſcript record of the events under notice this narrative has been, and will be, ſo largely indebted, further and very ſtriking proof of his independent honeſty and conſcientiouſneſs in regard to his Journal. It is this in truth which gives it a character of accuracy and original authority that none of the many other exiſting MS. journals of this time, which on examination turn out to be, for the moſt part, mere tranſcripts from the official records of the Houſe, can in

Other proofs of D'Ewes's accuracy.

Originality of his Journal.

the leaſt lay claim to. In the midſt of the events under notice, when a meſſage had been voted, late one evening, to the King, Denzil Hollis brought it again before the Houſe the following morning, with a view to an alteration in the wording which he deſired to ſuggeſt.

Hollis would alter a meſſage voted.

" But," D'Ewes continues, " Sir Guy " Palmes ſaid he did not know how it could " well be ordered, becauſe the votes were " already printed. Thereupon ſome thought " that the clerk or his men had given it out : " others that it might be tranſcribed by ſome " of the Houſe. So the clerk was aſked who " did conſtantly write out of his Journal Book " every night after the Houſe was riſen ; and " he ſaid the Lord Falkland only (who had " lately been made principal Secretary). Then " they aſked him who, alſo, did ſometimes " write out of the ſaid Journal Book, or were " preſent ; and he ſaid, Mr. Moore and Mr. " Bodvill did often write out of the ſame, and " that myſelf was ſometimes preſent. But I, " miſtaking him, and conceiving that he " ranked me amongſt the tranſcribers (who " ſcarcely wrote 3 words out of his Journal " Book in 3 months), was very angry with " him, and ſtood up and ſaid, that I was indeed " often preſent when others tranſcribed out " of the ſaid Journal, but did myſelf write *not* " *out of that but out of my head:* and there- " fore I deſired that the clerk might name the

The meſſage already printed.

Who copies nightly from Clerk's Journals ?

Falkland and two others.

But not D'Ewes : he reports " out of his head :"

"time when I tranſcribed anything out of his "Journal. With which the houſe reſting ſatiſ- "fied, as I conceived, I troubled myſelf no "further about it. But Mr. H. Elſyng, the "clerk, came to me in Weſtminſter Hall after "we were riſen, and expreſſed a great deal of "ſorrow that I did miſtake him; that he only "named me as being preſent, and the rather "that I could prove what he ſaid." * never at second-hand. Clerk Elſyng's apologies.

An incident highly characteriſtic of D'Ewes, which occurred on the next following day, completes the picture of our learned and careful reporter, zealous for the originality of his notes, ſenſible of the power derived from exerciſe of ſuch an art, and reſolved to abate no jot of the influence it gave him. A delicate matter coming under debate (being nothing leſs than information, ſubmitted by Pym, of tamperings on the part of the Court with foreign powers, for the lending an army, if need ſhould be, to put down the liberties of England) ſome members aroſe, in much excitement, to ſuggeſt that the debate be adjourned for a day, and that no one meanwhile be permitted to take notes. "Stop note-taking!" cried D'Ewes.† "You cannot! Or, if you can, "make men hold their tongues, then, as well!" A delicate matter diſcuſſed. Note-taking inſeparable from ſpeech-making.

Such being the recognized poſition of D'Ewes in the Houſe, and his admitted authority in everything connected with its uſages Relations of D'Ewes to Lenthal:

* *Harl. MSS.* 163, f. 430 a. † *Ib.* 163, f. 432 b.

his authority in precedents:

and the precedents of former times, he was naturally brought into frequent relations with the Speaker; and whether Lenthal found it more oppreſſive to ſubmit to his critical objurgations, or to enjoy the advantage of his condeſcending patronage, it might be difficult to ſay. There is, however, hardly a week's entry in his Journal that does not preſent him in one or other of theſe poſitions; and if nothing were known of Lenthal but the noble words we have ſeen him uſe on a ſudden and great emergency, we might well be diſpoſed to reject as incredible the impreſſion which D'Ewes ſteadily conveys, that he was a timid, reſtleſs, indeciſive, ill-informed, and ill-conditioned man. Unhappily this impreſſion is too well borne out by what otherwiſe is known of his life, and by what already this narrative has diſcloſed.* We know that this was the man who, violating the principle laid down by himſelf on that memorable 4th of January, and flinging ſcorn and diſrepute on the only act by which in hiſtory he is honorably remembered, actually had the baſeneſs, at the Reſtoration, to give evidence againſt Scot the regicide of words which he had heard within the Houſe when ſitting in the Speaker's chair!† When Lenthal is credited, therefore,

critic and patron of Mr. Speaker.

Weakneſſes of Lenthal.

Self-ſurrender of his only claim to reſpect.

A witneſs againſt Scot the regicide.

* *Ante*, 22, 25.

† *State Trials*, v. 1063. As a contraſt let me mention, in juſtice to the Earl of Northumberland, whoſe conduct throughout theſe affairs ſeems to me to have been unworthy of his abilities

Contraſt to Lenthal.

with qualities generally poor and commonplace, we may be only too well aſſured that the facts alleged will juſtify the charge. Such evidence abounds in every part of D'Ewes's Journal, and proves beyond all doubt, quite irreſpective of the ſpecial proof given in a previous ſection of his eager deſire at this time to offer ſervile homage to the King, that what he ſhowed himſelf unmiſtakeably to be in later years, he now already was, and was known to be. And I gladly ſeize the opportunity of adding, to what was remarked upon the ſubject in a former work,* other traits and incidents relating to him from D'Ewes's curious manuſcript, not merely characteriſtic and amuſing in themſelves, but ſuch as, beſides completing what was formerly ſaid, will alſo help further to ſhow D'Ewes's own poſition in reference to parties in the Houſe.

A time-ſerver always.

Traits and incidents from D'Ewes's diary.

A debate aroſe upon a queſtion of privilege: a perſon having been arreſted, after order had iſſued from the Houſe that he ſhould be

Queſtion of privilege.

and his name, that when, upon the Reſtoration, he conſented, like Lenthal, to receive favour from the Government, it was by no ſuch baſe betrayal of acts and proceedings in which he had himſelf been a participator. Ludlow tells us in his *Memoirs* that Lord Northumberland (who had taken the oath of fidelity to the Commonwealth) was heard to ſay in the Convention Parliament at the Reſtoration, that though he had no part in the death of the King, *he was againſt queſtioning thoſe who had been concerned in that affair, that the example might be more uſeful to poſterity, and profitable to future Kings, by deterring them from the like exorbitancies.* iii. 10, ed. 1699.

Northumberland true to old friends.

An example profitable to Kings.

* *Hiſt. and Biog. Eſſays* (Debates on the Grand Remonſtrance), i. 82, 83, &c.

ſent for as a witneſs. "When," ſays D'Ewes, "ſome ſpake to the caſe, and miſtook it, and "the Speaker would have informed them of "the caſe how it ſtood, Sir A. Haſelrig ſpake "to the order of the Houſe, and ſaid that the "Speaker ought not to ſtand up and interrupt "any other member of the Houſe when he "was ſpeaking. Whereupon the Speaker "ſtood up and anſwered Sir Arthur Haſelrig "that he had not ſtood up to interrupt any "member, but only to inform ſuch as ſhould "ſpeak of the truth of the caſe. But Sir "A. H. not ſatiſfied herewith, ſtood up "again: ſaying he would ſpeak to the order "of the Houſe, and under colour thereof "endeavoured to reply to the Speaker, and to "get ſaid over again the ſame thing: which "made me interrupt him, though I much "reſpected him." He accordingly, with deference, but very decidedly, rebukes "that wor-"thy gentleman in the Gallery," who, upon D'Ewes reſuming his ſeat, "would have ſpoken "again to the order of the Houſe; but the "Houſe, it ſeems, being ſatiſfied with what I "ſaid, would not hear him again."*

Haſelrig and Lenthal.

Attack on Mr. Speaker.

D'Ewes rebukes Haſelrig.

That was a great triumph for Sir Simonds, if not for Lenthal; but, upon a ſubſequent queſtion of order and uſage, Mr. Speaker himſelf ſeems to have been permitted to violate all precedent. Soon afterwards there occurred a

Lenthal out of order.

* *Harl. MSS.* 163 f. 405 b.

debate, very ſtiffly maintained on both ſides, about the cuſtom to be impoſed on ſugar. D'Ewes was the laſt ſpeaker, and ſat down with a ſolemn warning to the Houſe that they ſhould be wary of offending the Hollanders with ſuch an impoſt. "Between which time "and the putting of the queſtion itſelf," he continues, "ſome members came into the "Houſe, and ſome called on them to with- "draw; and thereupon grew a debate, whether "by the order of the Houſe they ſhould with- "draw or not: and in the iſſue it was "obſerved that regularly no member of the "Houſe could be commanded to withdraw, "but when he came in after the queſtion "had been put the firſt time." But the extraordinary thing was, D'Ewes concludes, that upon going to the diviſion, the Speaker not only claimed to vote, but actually voted, "the "like of which I never knew before or ſince."*

Sugar-duties' debate.

Members entering juſt before queſtion put.

Not to withdraw.

Again, ſhortly after, occurred another inſtance of Mr. Speaker forgetting the dignity of his place. It aroſe out of Sir John Holland, the member for Caſtle Riſing, objecting to the amount of the parliamentary levy on his county. "Sir John Holland," ſays D'Ewes, "a Norfolk man, ſeemingly anxious to ſhow "his forwardneſs for the county, ſaid he was "informed that Norfolk would not pay the

Extraordinary proceeding of Mr. Speaker.

Lenthal again at fault.

* *Harl. MSS.* 163, f. 429 b.

" ſum laid on them by the £400,000 bill,
An hon. member interrupted. " except ſome abatement; and that if any diſ-
" temper aroſe in Norfolk, it would be paid
" nowhere in England. Whereupon the
" Speaker ſtood up and interrupted him, and
" ſaid ſuch words were very dangerous and
" not fit to be ſpoken. But Sir J. H. ſtood
Hon. member retorts. " up to juſtify himſelf, and averred that he
" only ſaid he was informed ſo, and claimed
" the privilege of a member not to be inter-
" rupted, &c. Whereupon the Speaker, for-
" getting the dignity of his place, and deſerting
" the juſt ground that was given him to
Mr. Speaker ſuccumbs. " interrupt him, gave ſome approbation to
" what he had ſaid, and ſat him down. So
" as Sir John Holland was proceeding on as
" if he had done very well before, which
D'Ewes's indignation. " made me, with ſome indignation to ſee the
" Speaker's miſcarriage, ſtand up and ſpeak to
" the order of the Houſe."* Here, beyond all doubt, was another decided ſucceſs for D'Ewes; and the Houſe loudly, and very properly, applauded him for thus vindicating Mr. Speaker, though againſt Mr. Speaker himſelf.

But, even in the trivial duties and obſervances
Lenthal's deficiencies as Speaker. of his place, Lenthal was by no means expert. Some letters having been handed in to the Speaker, and among them one from the King, he gave it to the Clerk of the Houſe, " who,"

* *Harl. MSS.* 163, f. 461 a.

ſays D'Ewes, "having read the ſuperſcription "*Charles Rex*, I ſtood up and reminded the "Speaker that he was to read ſuch letters "himſelf: on which he acknowledged his "error, and read it." It came at laſt, indeed, to be very generally underſtood that the member for Sudbury, and not the Speaker, was the man to ſettle queſtions of order, and to compoſe jarring diſcords in debate.* A curious inſtance occurred when Sir Henry Mildmay, the member for Malden, who ſat afterwards on the trial of the King, would have obtained conſent from the Houſe to a bill for trade which threatened to interfere mightily with the Coventry weavers; whereupon Mr. William Jeſſon, an ancient alderman of that borough who very worthily repreſented it, ſtarted up with much heat and "ſpake very earneſtly againſt "ſuch a bill, ſaying that by ſo doing we would "deſtroy the whole trade of the kingdom. "Whereupon Sir H. Mildmay took excep- "tion, affirming that the ſaid Mr. Jeſſon "had looked very fiercely upon him when he

A letter from the King.

D'Ewes the great authority as to order:

compoſer of diſcords in debate.

Heat of ancient burgeſs for Coventry.

* Other duties appear at times to have been impoſed which he took upon himſelf with leſs reliſh. The following may ſerve as an example: "Between 4 and 5 the Houſe reſolved into a "Grand Committee on Tonnage: and when the Speaker with- "drew, and moſt of the Houſe with him, ſome to Committees, and ſome clean away, ſo as we were ſcarce 40 "left, divers called on me to ſit in the chair at the Committee. "So as, fearing that I ſhould not have excuſed myſelf, I with- "drew out of the Houſe, and after Mr. Ellis had taken the "ſaid chair, I returned again. The bill paſſed, and we roſe "between 5 and 6." *Harl. MSS.* 162, f. 357 a.

D'Ewes avoids a chair of Committee.

Fierce and unparliamentary looks:

"ſpoke, and that it was done in an unparliamentary way." Here was a novel caſe! and it muſt be confeſſed that D'Ewes, on appeal being made to him, treated it more ſenſibly than might have been expected. Deſiring to

D'Ewes's opinion thereon.

qualify, as he ſays, ſuch unneceſſary heat, he declared that in all his knowledge of theſe matters he never knew exception taken at looks before; and, with ſome further goodnatured words, he perfectly reconciled the offended knight and too choleric ancient burgeſs.*

Ancient member again.

It fared not ſo well, however, with the good old member for Coventry ſome few months later, when, upon the unfurling of the Royal ſtandard at Nottingham "about ſix of the "clock in the evening of a very ſtormy and "tempeſtuous day," † the Houſe of Commons promptly met the King's proclamation againſt Lord Eſſex as a traitor, by a vote calling upon every member to anſwer individually, upon the inſtant, whether he would venture and hazard his life and fortune with the Earl of Eſſex, Lord General. D'Ewes regarded this vote with little favour, and dwells upon the harſh way in which it was preſſed by the "fiery "ſpirits" who had introduced it: wherein, he adds, they were ſeconded, in a manner un-

Vote for allegiance to Parliamentary general.

Diſliked by D'Ewes.

* *Harl. MSS.* 163, f. 502 a.

† "The ſtandard," Clarendon ſubſequently tells us (*Hiſt.* iii. 190), "was blown down the ſame night it had been ſet up, "by a very ſtrong and unruly wind."

worthy of himſelf and contrary to the duty of his place, by Mr. Speaker. "And whereas Required to ſay *Aye*. "one Mr. Jeſſon, one of the burgeſſes for "Coventry, being an ancient man, did only "deſire a little time to conſider of it before "he gave his anſwer, they would not permit "that, but compelled him to anſwer preſently, "whereupon he, not being ſatiſfied in his con- "ſcience, gave his No. At which thoſe not Says *No*. "ſpirits taking great diſtaſte, the Speaker, "unworthy of himſelf and contrary to the "duty of his place, fell upon him with very Aſſailed by Mr. Speaker. "ſtrange language for giving his No; and "when the poor man, terrified with the diſ- "pleaſure he ſaw was taken againſt him, would "have given his Aye, they would not permit Wiſhes to ſay *Aye*: but not permitted. "him to do that neither. Sir Guy Palmes, "and Mr. Fettyplace" (the members for Rutlandſhire and Berkſhire, both of them declared Royaliſts) "were ſo overawed by Mr. Other members frighten- "Jeſſon's miſfortune as they anſwered Aye "without any further debate; and ſo did many ened. "others who came dropping in from dinner, "not knowing what had been done and was "doing in the Houſe." *

Nor had the ſcene been leſs ſtriking ſome three months earlier (little more than ſix weeks after the attempted arreſt), when, amid the war of declarations and replies that preceded the unfurling of the ſtandards, Sir Peter Wentworth

* *Harl. MSS.* 164, f. 1060 b.

Sir Peter Wentworth: cannot truſt the King. Chancellor of Exchequer's horror.

(who ſat for Tamworth, and afterwards on the High Court of Juſtice) took the occaſion of a particular meſſage from Charles to ſay "that "*we could not confide in the King nor truſt him:* "which made Sir John Culpeper, Chancellor "of the Exchequer, who ſat near him, riſe up "and ſay that he wondered that any man "ſhould dare to ſpeak ſuch language within "theſe walls—*That we could not confide in the "King!*" Conſiderable excitement enſued, D'Ewes proceeds to tell us, but Sir Peter's plain ſpeaking having found ſeveral backers, he was permitted to explain himſelf. "And "ſo the Houſe paſſed by his folly."

Houſe overlooks this "folly."

But then followed an incident well worthy record in itſelf, and having a highly characteriſtic ſequel with D'Ewes for its hero. Old Vane, who ſo long had ſerved the higheſt offices of ſtate, had ſignaliſed himſelf, ſince his loſs of Court favour and public employment,* by diſplaying in oppoſition all the caution and prudence which accompany the expectation of being reſtored to power. But, in a ſpeech he delivered on the preſent occaſion, this reſerve was flung aſide. He ſhowed that things were come to a deſperate condition. In a previous debate on the Cuſtody of the young Prince of Wales, very ſtartling alluſions had been made. Sir John Northcote, the member for Aſhburton, had ſaid plainly he

Old Sir Harry Vane.

Startling ſpeeches.

Sir John Northcote's avowal.

* *Ante* 50, 51.

would rather increaſe the jealouſies between the King and the Houſe than any way diminiſh them, and, amid continual excitement and interruptions, had perſiſted in naming an intention which they had all heard diſcuſſed elſewhere if not in that Houſe, "to crown the prince and "make him King."* But now, in a very full Houſe, amid an unuſual and ſullen ſilence, Old Vane did not ſcruple to take ſomething of a ſimilar tone. He gave in his adheſion to the views expreſſed by Pym and Hampden upon the queſtion of the Militia, declared his conviction that "the preſent flame would devour all" unleſs great care and wiſdom were uſed for ſtopping it, "and wiſhed that to that end we might lay "a new foundation." This called up Mr. Harry Killegrew of Cornwall, the member for Weſt Looe,† who made a violent Royaliſt ſpeech, and in the courſe of it propounded a conſtitutional doctrine of an extremely novel and diſconcerting kind. He warned them that they were ſetting their feet on ſlippery places

"Make the Prince our King."

Old Vane declares for militia and "new foundation."

* Northcote's ſpeech was delivered on the 14th January on the motion of Sir Henry Chomley, the member for Northallerton, for removal of jealouſies between King and Parliament. *Harl. MSS.* 162, f. 328 a.

† The ſame "gallant gentleman and generally known," of whom Clarendon relates (*Life*, i. 140) that ſubſequently, on being invited with the other members to offer a contribution towards the formation of an army for the Parliament, ſtood up and anſwered, he would provide a good horſe, and a good ſword, and a good buff coat, and then he would find a good cauſe: "which for that time only raiſed laughter, though they "knew well what cauſe he thought good, which he had never "diſſembled."

Anecdote of Killegrew.

Will "find" a good cauſe.

Harry Killegrew's ſpeech.

in what they called their new foundation, and that he could wiſh, before the gentlemen he ſaw around him concluded matters of ſo great moment then and there, as impoſing the militia and all their new taxation on the people, they ſhould ſend ſome members of that Houſe into each county to have their conſent; otherwiſe, they might come to feel the weight of the major part of the people; *for it was not the enacting of a law that made it in force, but the willing obedience to it.* "With ſome other words," D'Ewes adds, "to the like effect, at which "many of the Houſe, laughing heartily when "he ſpoke them, it made him repeat them "once or twice." The laughers meanwhile deſiſted, for Young Vane aroſe with much gravity to take exception to words carrying ſuch dangerous import. Others followed in the ſame tone; and ſome, ſays D'Ewes, did aggravate the words ſo far, that they were againſt allowing Mr. Killegrew to explain himſelf. With ſome difficulty Pym obtained hearing for him, "and ſo he made ſome little "juſtification, proteſting in the preſence of "God that he had no intention to do any diſ-"ſervice to the Houſe." Upon this Pym oppoſed the motion for his expulſion, which was rejected by 131 to 97. He was however ordered to withdraw, and, the debate continuing, there came ſuddenly to his relief another Corniſhman, Mr. Chadwell, the member for St.

Novel political doctrine.

Houſe laughs.

Young Vane very ſerious.

Killegrew's apology.

Pym reſiſts his expulſion.

Michaels, who profeſſed to cite ſome ancient record ſupporting what the member for Weſt Looe had ſaid. D'Ewes no ſooner heard it than he ſuſpected an impoſture. He withdrew very quietly, for it was againſt the order of the Houſe; haſtened over to his lodging, cloſe at hand; looked through his papers and records; hurried back to the debate; and threw upon it a flood of antiquarian lore, underneath which poor Mr. Chadwell, and his miſquoted, miſdated, and wholly miſrepreſented record, were completely carried away. But it is a peculiarity of D'Ewes to be always magnanimous in his moments of triumph. He never tramples on the fallen. "No doubt, Mr. Speaker," he ſaid, "I think this gentleman very faulty who "would preſume to miſquote Records for "Mr. Killegrew. But, not being well ſkilled "in Records, perhaps he did not know the "dangerous conſequence." That was his tone. The Houſe fell in with it; and both Killegrew and Chadwell, thanks to the moderation and good ſenſe of Pym, eſcaped with but ſlight puniſhment.*

An indiſcreet friend.

D'Ewes goes in ſearch of records.

Expoſes Corniſh ignorance.

Is merciful in triumph.

Theſe illuſtrations may now be fitly cloſed with ſome notice of the many efforts made to

* *Harl. MSS.* 163, f. 451 b. Being called to the Bar, the Speaker told them that the Houſe conceived the offence to be of a very high nature, conſidering the circumſtances of time and the opinions of ſome people abroad; and therefore they had commanded him to give them a ſharp reprehenſion, and it was the mercy of the Houſe that the cenſure was no ſeverer.

A reprimand.

Attempts to force early attendance.

compel early and full attendance at the Houſe, in which D'Ewes and Lenthal took prominent part. Under the form of fines for being late at prayers, theſe attempts were frequently renewed; and they had originated at a memorable time. As early as the previous May (1641), when the duties and reſponſibilities of membership had become ſuch as to daunt and deter all but the moſt reſolute; amid the plots for Strafford's eſcape, and the tumultuous aſſemblages of the people demanding juſtice upon him; when the King ſtill pauſed on the verge of deſperate counſels; while each hour of every day came laden with its danger and its terror; only two days before Charles had gone to the Lords to warn them againſt paſſing the attainder, for that he never in his conſcience could conſent to it; on the very day when Pym aroſe in the Commons to explode the conſpiracy of Henry Percy and Goring for bringing up the army and ſeizing on the Tower,—D'Ewes makes the ſubjoined moſt ſtriking entry in his Journal. It adds another to many memorable inſtances of the cloſe intermixture of ſerioufneſs and laughter in this tragi-comedy of the world, and is one more proof that men are never ſo prone to ſudden burſts of mirth as when heavy and overborne in ſpirit by a long ſtrain of anxiety, by nervous excitement or apprehenſion, by the over-wrought intenſity of either hope or fear.

Alarming time when firſt found neceſſary.

Tragi-comedy of the world.

"Prayers being done, after the Speaker had

" ſitten a good while, and all men ſilent, the
" Clerk's aſſiſtant began to read a bill touching
" wire-drawers, which being preſently ſtopped,
" did amidſt our ſad apprehenſions move
" laughter from divers that ſuch a frivolous
" bill ſhould be pitched upon, when all matters
" were in ſuch apparent danger. After ſome
" half-hour's ſilence more, or a quarter's, ſome
" called to have the order read, which was
" made on Saturday, by which every member
" that came after eight of the clock was to pay
" one ſhilling. And then, as men came in,
" divers cried, 'Pay! Pay!' When the Serjeant
" demanded the ſaid ſhilling, which bred a great
" confuſion."*

The Houſe in ſadneſs.

Suddenly moved to laughter.

The ſhilling fine.

Such was the continued confuſion, indeed, that for this particular time it had to be abandoned. But, ten months later, it was renewed; and Sir Simonds had again, upon the ſpecial ſubject, though on this occaſion with inferior ſucceſs to that we have ſeen formerly attend him, to vindicate the dignity of Mr. Speaker's place againſt Lenthal's own forgetfulneſs and non-aſſertion of it. On a Tueſday the fine was propoſed. "A motion made," ſays D'Ewes, "as I came in, that ſuch
" members as ſhould not come up by 8 and
" be at prayers, ſhould pay a ſhilling. I ſaid,
" when that was tried twelve months ago
" it was laid aſide from its inconvenience,

A failure.

Shilling fine again propoſed.

D'Ewes oppoſed to it.

* *Harl. MSS.* 163, f. 514 a.

" after one day's practice; and that the beſt " way would be to riſe at 12, and not at 2 or " 3, to enſure members coming at 8. Divers " others ſpake againſt it; but the greater " number being for it, it paſſed." *

Mr. Speaker late:

Very little, however, as it would ſeem, to the immediate edification of Mr. Speaker, ſeeing that next morning, Wedneſday, he did not himſelf make his appearance till a quarter to nine. " The Houſe by this time," D'Ewes remarks, " was very full at prayers, by reaſon of the order " made yeſterday. Sir H. Mildmay, after " prayers, ſtood up and ſaid he was glad to ſee rebuked: " this good effect of yeſterday's order; and ſaid " to the Speaker that he did hope that hereafter " he would come in time; which made the throws his ſhilling on table: " Speaker throw down twelvepence upon the " table. Divers ſpake after him, and others " as they came in did each pay his ſhilling to " the Serjeant. I ſpake to the Orders of the " Houſe: That the order made yeſterday was " to fine 'after' prayers, and therefore you " (I ſpake to the Speaker) cannot be ſubject " to pay; and for coming a little after 8, that " was no great difference. Although I ſpake will not take it up again. " truly, the Speaker having caſt down his " ſhilling, would not take it up again." †

One may perhaps infer, without diſreſpect, that Lenthal had ſulked a little; and the ill effect of ſo throwing down his twelvepence,

* *Harl. MSS.* 163, f. 474 a. † *Ib.* 163, f. 475 b.

certainly diſplayed itſelf next day, Thurſday, when the action found an imitator well diſpoſed to exaggerate it. After obſerving that on that morning only about forty were at prayers, D'Ewes proceeds to ſay that it was ordered upon the motion of Mr. Rous, that the fines of yeſterday and to-day be given to Dr. Leighton, being in ſome diſtreſs. Then came on a petition complaining of Dr. Fuller, parſon of St. Giles's, having choſen two churchwardens ill affected to religion, in oppoſition to two choſen by the pariſhioners. Ill reſults of the fine.

" Some coming in and refuſing to pay, whilſt " the aforeſaid petition was reading, divers " called out to them to pay, and ſo inter- " rupted the Clerk's aſſiſtant, who was reading " it. Mr. John Hotham ſtood up and ſaid " that the time appointed for men to come " yeſterday by the order was 8, and that the " chimes for that hour went juſt as he came " into the houſe. But the Speaker telling " him that prayers being paſt he muſt pay, " and he ſtill refuſing, it was put to the " queſtion, ruled affirmatively, and ordered ac- " cordingly. Whereupon he took his ſhilling, " and threw it down upon the ground: " upon which ſome called him to the bar, " others that he ſhould withdraw: and the " Speaker, ſtanding up, did ſharply reprove him " for that action, as being a contempt to the " Houſe. Which cauſed him; as I conceive, a

Refuſals to pay.

Jack Hotham ordered to pay.

Flings his ſhilling on ground.

" little after, to withdraw out of the Houſe, " though he returned again this forenoon."*

Beginning of the End.

Theſe various ſcenes, and the attempts to check in honorable members a growing tendency to ſlacken and be remiſs in their attendances, prefigure what was now rapidly approaching. The King's party had loſt their laſt venture, and ſilent deſertions were reported daily. A call of the Houſe had been attempted with ill ſucceſs ſoon after Strafford's execution, and now another attempt was made. " Mr. " D. Hollis," ſays D'Ewes, " moved that the " houſe might be called, and ſuch as were abſent " fined, for the relief of Ireland." But Sir Simonds ſtoutly oppoſed the motion, reminding Mr. Speaker that none of the members who were abſent at the firſt calling had paid their £5 fine. In the end, the motion was overruled, and D'Ewes adds: " A number went to the " conference with the Lords, and we had not " forty left, ſo the Speaker left the chair, and " we diſcourſed ſeverally one with another for a " pretty while."† Diſcourſe which has all paſſed away with the honourable members themſelves, but of which we might perhaps with ſlight effort, if it were worth the while, recal ſo much as the ſubjoined little incident of that day is likely to have called forth, as they ſo talked ſeverally one with another. It had occurred while the Houſe yet ſat, and buſineſs

Call of Houſe attempted.

Not forty members preſent.

* *Harl. MSS.* 163, f. 476 a. † *Ib.* 162, f. 401 b.

was proceeding. "One Mr. Shepherd, a "ſtranger, came into the Houſe and ſtood "behind the Serjeant. So divers eſpied him "out, and called him to the Bar. There, he "would not tell his name, but ſaid he was a "Bedfordſhire man. As divers knew him, "he was diſmiſſed."* A ſtranger in the Houſe. How dealt with.

And now I reſume the courſe of this narrative, which will not be held, I truſt, to have been interrupted needleſſly, by a ſeries of incidents and illuſtrations intimately connected with it; all of them drawn from an unpubliſhed manuſcript record; ranging, in every inſtance, within a compaſs of not many weeks beyond the date of the Arreſt of the Five Members; and not only ſupplying traits of hiſtory and perſonal character eſſential to any thorough comprehenſion of the circumſtances and reſults compriſed in that event, but teſtifying to the truſtworthineſs of one of the principal witneſſes to be called in evidence for what yet remains to be deſcribed. Reſumption of narrative. Why interrupted.

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§ XXIV. Appeal to the City.

Charles ſent for Mr. Ruſhworth ſhortly after he reached Whitehall. James Maxwell, uſher of the Houſe of Lords, the ſame to whom Strafford yielded himſelf a priſoner, and in Mr. Ruſhworth ſent for by King.

* *Harl. MSS.* 162, ff. 385 a. 389 a.

whoſe houſe at Charing Croſs two right reverend prelates were now impounded, bore the meſſage to the aſtoniſhed Clerk's aſſiſtant. Arrived in the Royal preſence, the King commanded him to give him a copy of his ſpeech that day, which "his Majeſty had obſerved "him to take in characters at the table in the "Houſe." Somewhat alarmed at the order, and perhaps not without the ambition to ſhow the King that Mr. Speaker's recent leſſon of allegiance to the Commons had not been thrown away, Mr. Ruſhworth ſtammered out excuſes; and proceeded humbly to remind his Majeſty how a certain member had been committed to the Tower, for reporting what a certain other member had ſaid in the Houſe. Then ſaid his Majeſty ſmartly, "I do not aſk you to tell me "what was ſaid by any member of the Houſe, "but what I ſaid myſelf." Whereupon, Mr. Ruſhworth informs us, that, omitting what Lenthal had interpoſed, he "readily gave "obedience to his Majeſty's command, and in "his Majeſty's preſence, in the room called "the Jewel-houſe, tranſcribed his Majeſty's "ſpeech out of his characters, his Majeſty "ſtaying in the room all the while, and then "and there preſented the ſame to the King: "which his Majeſty was pleaſed to command "to be ſent ſpeedily to the preſs, and the next "morning it came forth in print." But alas for the preſent chances of ſuch an appeal!

Report of his majeſty's ſpeech demanded.

Mr. Ruſhworth's humble excuſes.

King's ſharp rejoinder.

Speech tranſcribed from notes, in King's preſence.

Sent to preſs.

Every copy that could now be circulated had for its precurſor, and illuſtrative comment, the printed and publiſhed Grand Remonſtrance, already for nearly three weeks in the hands of every Citizen.

Proclamation againſt Five Members.

On the ſame night, after Ruſhworth quitted the King, there came forth a proclamation reiterating the charge of treaſon againſt the Five Members, and cloſing the ports againſt any attempt they might make to quit the kingdom. This proclamation is ordinarily confounded with that which forbade all perſons under graveſt penalties to receive or harbour them, and which was not iſſued until afterwards. Received and harboured, meanwhile, it was well known that they now were, in a houſe in Coleman Street in the City: whither already the King was reſolved to proceed next day to demand them, and to try his final chances of authority and predominance in that ſtronghold of his kingdom.

Ports cloſed againſt their eſcape.

Their place of refuge.

City of London.

Of the influence and importance of the City of London at this time, it is needleſs to ſpeak. It repreſented in itſelf the wealth, the ſtrength, and the independence, which had made England feared and honoured throughout the world. Within its walls, and under the ſhadow and protection of its franchiſes, ſlept nightly between three and four hundred thouſand Citizens. The place of buſineſs of the merchant, in thoſe days, was alſo his reſidence

Merchants' home as well as place of buſineſs.

Its palaces and privileges.

and his home. The houſes then recently built by nobles beyond its precincts, along the Strand of the magnificent river, ſcarcely tranſcended in extent or ſplendour thoſe palaces of its merchant princes, which lurked everywhere behind its buſy wharves and crowded counting-houſes. But, beyond every ſuch ſource of aggrandiſements, its privileges were its power. From its guilds, charters, and immunities, wreſted from the needs, or beſtowed by the favour, of ſucceſſive princes; from its own regulation of its military as well as civil affairs; * from its

Sources of its power.

Lord Mayor's letter to aldermen.

Military organization of City.

Inſtructions for watch and ward.

Perſonal ſervice required from aldermen.

* Late in the night of the 4th of January, the day of the King's attempt, upon ſome ſuggeſtion which had reached him from Whitehall, Sir Richard Gourney ſent round to the Aldermen of each ward in the City a letter of which the rough draft, brought back apparently to the Court, is now in the State Paper Office. It will be read with intereſt for the proof it affords of the military government and organization of the City at the time. Of courſe the object which the Lord Mayor had in view was fruſtrated by the very means thus propoſed to give effect to it. He miſcalculated, as the King did; and the organization and reſiſtance they would have invoked to protect themſelves, they found ſuddenly turned againſt them. The letter begins by ſtating, that, for the better ſuppreſſing and apprehending of all ſuch inſolent perſons as ſhall be tumultuouſly aſſembled in and about the City and Liberties thereof, each Alderman do ſtraightway appoint "ſubſtantial double watch and ward of able men, well "weaponed and furniſhed with Halberds and Muſquetts, to "be from henceforth duly kept & continued every night and "day . . eſpecially at every gate, poſterne, & landing "place within the ſame, to beginne at eight of the clock in "the evening and continue until five in the morning. And "ſo from that tyme, by new ſupply, until eight at night "again," to go on until each Alderman have further order to the contrary from the Chief Magiſtrate. And further, each Alderman is adjured "that yourſelfe take the ſervice, the danger "of the tymes conſidered, perſonally to heart and care. And "that you, your deputy, & ſome of the Common Councilmen, "in perſon, do not only by turne watch every night, but that

complete and thoroughly organized democracy, governed and governing by and within itſelf; was derived an influence which made it formidable far beyond its wealth and numbers. Clarendon, after ſpeaking of its incredible acceſſion of trade, of its marvellous increaſe in riches, people, and buildings, of its unvarying choice of the wealthieſt and beſt-reputed men, of the wiſeſt and moſt ſubſtantial citizens, to ſerve its offices and dignities, and of its ſeveral powerful companies "incorporated within the great "corporation," falls into a lament that wiſe men ſhould not have foreſeen, that ſuch a fullneſs could not poſſibly continue there without an emptineſs in other places; and that the government of the country ſhould undergo neglect, while ſo many perſons of honour and eſtates were ſo delighted with the City.* But this lament was not indulged until the City

Its complete and organiſed democracy.

Its incredible enrichment by trade.

Clarendon's lament.

"you provide the ſame watch and ward to be orderly ſett "forth & continued in manner as aforeſ[d] within your wards." Gates were everywhere to be ſhut and ſtrongly guarded. Eſpecial care to be taken that the ſaid gates, and portculliſes thereunto belonging, were ſpeedily repaired and made ſufficiently ſtrong whereſoever required: and the portculliſes made eaſy to let down and draw up when need ſhould be. Alſo proviſion was to be made for ſetting right all chains and poſts in any way defective, ſubſtantially and ſtrongly. Alſo each pariſh in the ward was to be ſufficiently furniſhed with hooks, ladders, buckets, ſpades, ſhovels, pickaxes, augurs, and chiſels. Men were likewiſe to be provided in ſuch numbers that the Trained Bands and watches might be kept conſtant to their ſtations, and always in full efficiency. And every houſeholder was to be reſponſible for the good conduct of his apprentices. They were not to permit either them or their ſervants to go abroad without moſt ſevere penalties. It is ſigned "This 4th day of Jan[y]. MICHELL." * *Hiſt.* ii. 151.

Fortifications of the City walls.

The City diſaffected to the Court.

had made itſelf, in the ſame writer's words, "eminent for its diſaffection to the govern-"ment of Church and State" (as then adminiſtered), and had in fact overthrown it. To its honour, be it ſaid, that, from the hour the cauſe of public freedom was in peril, the City of London caſt in its fortunes unreſervedly with the oppoſition to the Court.* Its reſolute refuſal to join the league againſt the Scottiſh Covenant, had baffled the counſels and waſted the energies of Strafford; and its Trained Bands, under Skippon, were deſtined largely to contribute to the final defeat of the King.

Well affected to the Commons.

Services in the war.

Excitement on night of the arreſt.

Throughout the night of Tueſday the 4th of January, a terrible excitement prevailed. Upon intelligence of the King's attempt, all the ſhops had been cloſed, and the City all night

Attack on City in Royaliſt ſatires.

* The City, it is almoſt unneceſſary to ſay, is the conſtant object of unſparing and mercileſs attack in the Court Satires, but its power is freely admitted, and the ſuſtaining force it imparted to the popular counſels is never for a moment queſtioned. The subjoined lines are from *An Addreſs to the City*:

Now do you daily contribute and pay
Money your Truths and Honours to betray!
Bigg with Fanatic thoughts and wilde deſire,
'Tis you that blow up the increaſing fire
Of foul Rebellion! you that alone do bring
Armies into the Field againſt your King!
For wer't not from ſuſtainment from your Baggs
That "Great" and "Higheſt" Court that only braggs
Of your vain folly, long 'ere this had been
Puniſh'd for their bold ſacrilegious ſin . . .
They would not then have ſo ſupreamly brought
Their votes to bring the kingdome's peace to nought,
Nor with ſo ſlight a value lookt on him
King Charles, and only doted on king Pym!

was under arms.* From gate to gate paſſed the cries of alarmed Citizens that the Cavaliers were entering, that their deſign was to fire the City, and that the King himſelf was at the head of them. Threats of a contemplated ſeizure of the arms of the Citizens, by violent entry into their houſes under royal warrant, increaſed the prevailing dread and excitement.† Nor was the feeling likely to abate upon rumours

"Cavaliers coming."

Apprehended ſeizure of arms.

* "The ſhops of the City generally ſhut up, as if an enemy were at their gates ready to enter, and to plunder them; and the people in all places at a gaze, as if they looked only for directions, and were then diſpoſed to any undertaking."—Clarendon, *Hiſt.* ii. 160.

City ſhops all ſhut.

† That there exiſted too much ground for theſe ſuſpicions, I diſcover by the rough draft, in the State Paper Office, of the ſubjoined "Warrant to the Lord Mayor under the Signet," dated 4th of January 1641. "Whereas wee are informed "that ſix peeces of Ordnance, uſually belonging to the "Artillery Yard, have now lately been brought into that "O^r Citty of London, and placed in Leaden Hall, but w^th "what intentions wee are not yett well ſatiſfied. [Conſidering "the diſtempers and troubles of theſe times,] Our will and "command therefore is, that you forthwith take an eſpeciall "care to ſee thoſe ſaid peeces ſoe ſafely diſpoſed of, that they "onely ſerve for the guard and preſervation of the ſaid Citty, "if cauſe ſhould ſoe require. And whereas wee are farther "informed that ſeverall perſons of mean quality have of late "taken into their houſes an unuſuall number of muſquets, as "ſome 20, 30, 40, or thereabout, and amunition accordingly. "Our will and pleaſure is that you likewiſe cauſe a ſearch to "be made through^t the ſaid Citty and the Liberties thereof, "and, when you ſhall find any ſuch quantities of armes, that "you examine thoſe perſons upon what grounds and reaſons "they have made ſuch proviſions, and, as you ſhall ſee cauſe, "that you take ſoe good aſſurance from them, that they may be "reſponſible for the ſaid armes and their intentions therew^th, "that through the ſame the peace and ſafety of that Our "Citty not any ways be endangered. And for ſoe doing this "ſhall be y^r warrant. Given under our Signet, Whitehall, "4th Jan. 1641." The words within brackets are an interlineation in Nicholas's hand-writing.

Rough draft of royal warrant.

Ordnance ſafely diſpoſed.

Houſes to be ſearched for muſkets.

Poſſeſſors of firearms to be examined.

King's meſſage to the Lord Mayor.

ſpread abroad with the dawn, of a meſſage received by the Chief Magiſtrate from Whitehall, to the effect that his Majeſty had matter of preſſing occaſion to addreſs to the Lord Mayor and Common Council, and propoſed to viſit Guildhall before noon. Warrants of arreſt, committed to the hands of the two Sheriffs of London, preceded him there; and no indication was wanting of a determined reſolve that he would yet carry out his purpoſe of obtaining poſſeſſion of the perſons of the accuſed.

Warrants againſt accuſed.

§ XXV. The King's Reception in Guildhall.

An important day for Charles I.

Soon after nine o'clock on the morning of Wedneſday the 5th January, or nearly four hours before the time to which the Houſe of Commons had adjourned their meeting that day, Charles ſet out upon his enterpriſe of conferring with the City authorities; and the report in Ruſhworth, and half a page in Clarendon, are all that has hitherto come down to us of what paſſed at a meeting which may be ſaid to have determined the King's fate.*

King's ſpeech at Guildhall.

* *Hiſt. Col.* III. i. 479, 480; Clarendon, *Hiſt.* ii. 131. I ſubjoin Ruſhworth's account, which, brief and dry as it is, compriſes all the detail known to us hitherto of what tranſpired. "His Majeſty being arrived at Guild Hall, and "the Common Council aſſembled, he made this ſpeech to "them: 'Gentlemen, I am come to demand ſuch perſons as "'I have already accuſed of High Treaſon, and do believe "'are ſhrouded in the City. I hope no good man will keep "'them from me; their offences are Treaſon and Miſde-

For, in this viſit, he threw his laſt ſtake for the good-will of his citizen ſubjects. Declining to take any Guard with him, and counting to the laſt upon a greeting at Guildhall not leſs enthuſiaſtic or loyal than had welcomed him on his return from Scotland, he left Whitehall with the confident belief that he ſhould drive his enemies from their laſt refuge. Nor was he without ſo much ground for the deluſion as, however ſcant and inſufficient in reality, might perhaps have been expected to ſuffice to a mind ſo obſtinate and narrow. He continued to have undoubtedly many adherents among thoſe holding municipal places. One of the Sheriffs was his unflinching partizan. The Chief Magiſtrate wielded extraordinary powers in that day, long ſince fallen to diſuſe; and the devoted adherence of the preſent holder of the office, carried ſtill an amount of ſupport that in ordinary circumſtances might have turned the ſcale. Royalty itſelf, moreover, had not loſt even then all its old tradi-

His laſt ſtake for good-will of City.

His confidence ſtill unabated.

Grounds for ſuch falſe reliance.

Preſent ſupporters and old traditions.

" ' meanour of an high nature. I deſire your loving aſſiſtance
" ' herein, that they may be brought to a legal trial. And
" ' whereas there are divers ſuſpicions raiſed that I am a
" ' favourer of the Popiſh Religion, I do profeſs in the name
" ' of a king that I did, and ever will, and that to the utmoſt
" ' of my power, be a proſecutor of all ſuch as ſhall any ways
" ' oppoſe the laws and ſtatutes of this kingdom, either papiſts
" ' or ſeparatiſts; and not only ſo, but I will maintain and
" ' defend that true Proteſtant Religion which my Father did
" ' profeſs, and I will continue in it during life.' His Majeſty
" was nobly entertained that day in London at the houſe of
" one of the Sheriffs, and after dinner returned to Whitehall
" without interruption of tumults."

Aſſurances as to religion.

Dinner at Sheriff's.

tional and inherent authority; and the number of waverers, or men of no fixed opinion, whom all theſe circumſtances would be likely to influence, could not have been inconſiderable.

Reception on his way.

Hardly had Charles paſſed Temple Bar, however, when he muſt have felt theſe ſupports begin to crumble under him; and ſuch warning had he

Caution to be wary of ſpeech.

received to be wary of his ſpeech by the time he reached Guildhall, that his declared and determined purpoſe to have the five traitors delivered up to him, which he had come there excluſively to repeat and enforce, muſt have

Forced mildneſs.

ſounded ſtrangely out of keeping with the forced mildneſs of his tone. We are happily able to break through the reſerve of Ruſhworth, and fully to deſcribe the ſcene.

Captain Slingſby an eye- and ear-witneſs.

It was Captain Slingſby's fortune that day, as he writes to Admiral Pennington the day following,* "being in a coach," to meet the King with his ſmall train going into the City. Whereupon, he ſays, he followed him. His Majeſty's reception in the ſtreets was not favourable. Unſuppreſſed cries of diſcontent broke

"Privilege! privilege!"

forth. The multitude preſſed around his coach with confuſed ſhouts of Privilege of Parliament! Privilege of Parliament! and one, leſs reſtrained than the reſt, made himſelf conſpicuous by

"To your tents, O Iſrael."

flinging into the window a paper on which was written, "To your Tents, O Iſrael!"

* MS. State Paper Office: Slingſby to Pennington: 6th January 1641-2.

The offence was expiated at Seſſions; but the Ten Tribes had even now deſerted the Rehoboam, whom nevertheleſs the more gracious company, the Mayor, the Sheriffs, the Aldermen, and all the Common Council aſſembled in full order and ceremony at Guildhall, received with every external mark of homage and reſpect. Arrival at Guildhall.

He at once addreſſed them. He had come, he ſaid, to demand ſuch perſons as he had already accuſed of high treaſon, and did believe were ſhrouded in the City. He hoped no good man would keep them from him, their offences being treaſon and miſdemeanor of a high nature; and he deſired aſſiſtance to bring them to a legal trial. He was very ſorry to hear of the apprehenſions the City had entertained of danger, and he was come to them to ſhow how much he relied on their affections for his ſecurity and guard, having brought no other with him. Whereas there had been ſuſpicions raiſed that he was a favorer of the Popiſh religion, he now declared to them his wiſh and intention to join with the Parliament in extirpation not alone of Popery, but of all ſchiſms and ſectaries. His reſolve was to redreſs all the grievances of the ſubject, and his care ſhould be to preſerve the privileges of the Parliament; but again and again, according to Slingſby, he repeated, *he muſt queſtion thoſe Traitors.* He juſtified the Military Guard King's ſpeech. Reſolved to have the Five Members. Reliance on the City's good-will. Will redreſs grievances and reſpect privileges: but muſt queſtion Traitors.

Juſtifies Whitehall Guard.

eſtabliſhed at Whitehall, and ſaid the reaſon thereof was "for ſecuring himſelf, the Parliament, and themſelves, from thoſe late tumults." He added, ſays Slingſby, "ſomething of the Iriſh; and at laſt had ſome "familiar to the Aldermen" (ſpoke them friendly words, that is), "and invited himſelf "to dinner to the Sheriff's." He was careful to ſelect for that honour Mr. Sheriff Garrett, who was of the two, according to Clarendon, thought to be leſs inclined to his ſervice.

Offers to dine with liberal Sheriff.

Ominous ſilence: Oppoſing cries.

So far all had paſſed very quietly; in an ominous ſilence, but without interruption. Then, ſays Slingſby, after a little pauſe, a cry was ſet up among the Common Council, *Parliament! Privileges of Parliament!* And preſently another, *God bleſs the King!* Theſe two, he writes, "continued both at once a "good while, I know not which was loudeſt." Sufficiently deciſive evidence, it will be thought, out of ſuch lips, that the reſiſtance to the loyal ejaculation muſt indeed have been ſtoutly and ſturdily maintained.

"Privileges of Parliament," and "God bleſs the King."

Has any one anything to ſay?

Nothing can be more characteriſtic than the ſequel, as related by this eye-witneſs ſo favorable to the King. "After ſome knocking for "ſilence, the Kinge comaunded one to ſpeake "if they had any thinge to ſay. One ſayd, "*It is the vote of this Court that your Matie "heare the advice of your Parlament.* But "preſentlie another anſwered, *It is not the*

Yes—we vote you hear your Parliament.

"*vote of this Court: it is your ownn vote!* No—that is not our vote.
"The Kinge replyed, *Who is it that ſays I*
"*do not take the advyce of my Parlament: I*
"*do take their advyce and will: but I muſt*
"*diſtinguiſh between the Parlament and ſome*
"*Traytors in it:* and thoſe" (Slingſby tells us that he again and again repeated this) "he "would bring to tryall—tryall!" Then there was ſilence again: but preſently, and quite unexpectedly, another highly characteriſtic interruption. "Another bold fellow, A bold fellow on a form.
"in the loweſt ranke, ſtood upp upon
"a forme, and cryed *The Priviledges of*
"*Parlament!* And another cryed out, *Ob-*
"*ſerve the man, apprehend him!* The King
"mildly replied, *I have and will obſerve* Rejoinder for him.
"*all priviledges of Parlament, but no pri-*
"*viledges can protect a traytor from a tryall—* "Trial—trial!"
"*tryall!* And ſoe departed. In the outer
"hall were a multitude of the ruder people,
"who, as the King went out, ſett up a greater
"cry *The Priviledge of Parlament!*"

Through theſe ruder people he paſſed to Dines with Sheriff. Sheriff Garrett's houſe, was nobly entertained therein until 3 o'clock, and, with the fatal and determined ſhout of *Privilege! Privilege!* again raiſed from the lips of thouſands, while upon his own doubtleſs there trembled ſtill the heſitating and painful, if not leſs obſtinate, cry of *Trial—Trial!* he returned to White- "Trial—trial!" hall. He had thrown and loſt the ſtake.

§ XXVI. Humiliation and Revenge.

Incidents of the return to Whitehall.

Of the incidents of Charles the Firſt's return to his palace on this ill-omened day, when, as Clarendon mildly phraſes it, he failed of that applauſe and cheerfulneſs which he might have expected from the extraordinary grace he had vouchſafed, Captain Slingſby ſays nothing; but they are named by another correſpondent of Pennington, whoſe letter, contributing ſome heightening touches even to the relation juſt given, will find alſo here its appropriate place. "Noble Sir," writes Mr. Thomas Wiſeman* to the Admiral of the Channel Fleet, "I am ſorry that the times are "ſuch they will afford little elſe to advize of, "than the daily diſtractions that increaſe upon "us. The laſt weeke, 12 B^hps were impeached "of high treaſon by the Parlament; and this "weeke, 5 of the cheiffe memb^rs of the Houſe "of Comons, & the Lord Mandeville in the "Lords Houſe, by the King: as by the "charge given then, & theire names, you

Wiſeman to Pennington: 6th January.

News of the week.

* MS. State Paper Office. 6th January. I append, from the ſame rich and unexplored materials of hiſtory, ſome ſentences of a letter, with ſame date, from Under Secretary Sidney Bere: "Yeſterday the King went to Guild Hall in perſon. . . . "They made a confuſed noiſe crying out for Privileges of "Parliament, to wch his Matie gave all the aſſurance poſſible "that his intention was not in the leaſte to infringe them. . . "But att this time he went not guarded as he did the day "before to Parliament. That afternoone the Lower Houſe "ſatt, & have adjourned until Tueſday next. . . wch cauſes "ſtill a greate diſtemper of apprehentions amongſt them."

Bere to Pennington: 6th January.

Cries in City.

" may perceive by a particular herew^th^ incloſed Fears of
" —wch hath bredd ſuch a diſtemper both in inſurrec-
" ye Cittie & Houſes of Parlam^t^ that wee are tion.
" not free from the fears of an inſurrection.
" The 6 perſons keepe out of the way; and Accuſed
" although the Comons Houſe did promiſe for keeping
" theire forth coming, yet they are not out of way.
" coming forth. His Matie yeſterday came
" into the Cittie, & made a gracious ſpeech
" to the Lord Maior Ald^n^ & Comon Councill
" at the Guildhall, where they were aſſembled
" to take order for the ſaftie of the ſame; and
" did, as much as in him laye, ſtrive to give Efforts to
" them all ſatiſfacion. Many cryed out to conciliate.
" his Matie to mayntaine the priviledges of
" parlam^t^, to whom he moſt gently replyed it Gentleneſs
" was his deſire ſoe to doe, & would not in of King's
" the leaſt invade upon them; but they muſt voice.
" give him leave to diſtinguiſhe betweene the Firmneſs
" Parlam^t^ and ſome ill-affected members in it, of his pur-
" w^h^ have gon about by treaſons to iniure poſe.
" his perſon, and to w^th^drawe his people from
" their allegiance. And therefore, both for
" his owne ſaftie & theire goods, hee muſt and Muſt
" will finde them out, to bring them to Juſtice bring
" —wch ſhould be don in a legall and parlamen- Traitors to
" tarye way, & no other wayes. And if they trial.
" could cleare themſelves, he ſhould bee glad of
" it; if otherwiſe, hee held them not memb^rs^
" fitt to ſitt in that aſſemblye, w^h^ were mett
" together to make good lawes, and to

" reforme the abuſes of the kingdome, and
" not to betray their King. Afterwards, his
Dinner at Sheriff Garrett's. " Matie was pleaſed to bidd himſelfe to dinner
" to Sheriff Garrett's, where hee ſtayed till 3 of
" the clock; and then, returning to Whitehalle,
Shouts of people againſt the King. " the rude multitude followed, crying againe
" *Priviledges of parlamt, Priviledges of parlamt*,
" whereat the good King was ſomewhat moved,
" and I believe was glad when hee was at
Glad to get home. " home. The Comittee of the Houſe of
" Comons—(being affrayed, as is conceived, of
" the King's Guards, wch hee hath lately taken
Why Commons left Weſtminſter. " to his own perſonne at Whitehaull, beinge
" there a Courte of Guard built, and the
" Trayne bands of Middleſex night and day
" attending, wth at leaſt 6 ſcore other officers,
" wch have theire dyett at Courte)—come into
" the Cittie at the Guildhaull to hould theire
" conſultatons, the Parlamt being adjourned
" till Tueſday next. What theſe diſtempers
Expectation of bloodſhed. " will produce, the God of Heaven knowes;
" but it is feared they cannot otherwiſe end
" than in blood. The Puritan factionne, wth
" the ſectaryes & ſchiſmatickes, are ſoe preva-
" lent both in Cittie and Countrey, that no
" man can tell, if the King & Parlamt ſhould
Doubts which party ſtrongeſt. " not agree, wch partie would bee ſtrongeſt. On
" Tueſday his Matie went to the Houſe of
" Comons to demand the perſons of thoſe
" that were accuſed for treaſon: but they were
" not there to be found. The Houſe, it ſeemes,

" taking it ill the King ſhould come in that manner to breake their privilledges, for ought I can underſtande reſolve to protect theire membrs, & not to deliver them into the hands of the King. And to take them by force—they have ſuch a partie in the Cittie that it will coſt hott water! We have 3 Privie Councillrs more made: the Earl of Southaton, my Lord of ffaulkland, & Sr Jno Colpepper, whoe is likewiſe Chancellr of the Exchequer; and my Lord of Southton ſworne Gentleman of the Bedchamber to the King. Thus you ſee the changes of the times, whereon I pray God preſerve our Gracious King, and ſend us peace at home whatſoever wee have abroad: whch is the hartye prayer of yr moſt affecte & faithfull friende, THO. WISEMAN. My wife, and Doctor, wiſh you a good new year, & ſhee hath ſent you a toaken of her reſpects to you, & prays yor acceptance wherein I ſhall acknowledge my thanks & reſt once again yours, T. W."

Retro-ſpect.

More privy-councillors made.

God preſerve His Majeſty!

Meſſage from Mrs. Wiſeman.

Yet another, however, and perhaps worſe trial was reſerved for the King, when, within a couple of days after this viſit of evil omen, its reſult declared itſelf in a formal anſwer from the magnates of the City to the demand he had made for ſafe delivery into his cuſtody of the bodies of Pym, Hampden, and the reſt. He had to receive their furred and robed deputation in Whitehall; and to liſten while Mr.

A worſe trial for Charles.

Viſit from Common Council:

Their advice: Recorder read aloud their petition, repreſenting the dangers which had ariſen, and the greater that were impending, from the miſunderſtanding between his Majeſty and his Parliament; and praying him again to reſort to the advice of that great council, to abſtain from further fortifying of Whitehall or the Tower, to place the latter fortreſs into the hands of perſons of truſt, to remove all unuſual military companies and armament from the precincts of his palace, to appoint a known and approved Guard for the ſafety of himſelf and his Parliament, and not further to reſtrain of their liberty, or proceed againſt otherwiſe than according to parliamentary right and privilege, the members lately accuſed.

conſult with your Parliament:

leave the Tower alone:

diſperſe the White-hall Guard:

abandon impeachment.

Humiliating trials all theſe, no doubt; and it requires no effort to underſtand the emotion, and the eagerneſs to be home again,* which the good Mr. Wiſeman attributes to his gracious ſovereign while yet on the City ſide of Temple Bar. But it requires ſome effort, as well as a very intimate acquaintance with the character of this King, not to reject as almoſt incredible

Anecdote told by Slingſby.

* A curious incident followed upon his arrival at the palace, which is thus related by Slingſby. (MS. State Paper Office, 6th January.) "At the King's coming home, there "was a meane fellow came into the privy chamber, who had a "paper ſealed up, wch he would needes deliver to the Kinge "himſelfe. With his much importunitie he was urged to be "mad, or drunke, but he denyed both. The gentleman uſher "tooke the paper from him, carried it to the King, and deſiring "ſome gentlemen there to keepe the man. He was preſently "ſent for in, & is kepte a priſoner: but I know not "wherefore."

the ſuppoſition, that his firſt act, upon his return to his palace after receiving ſuch a leſſon, was with his own hand to pen a freſh inſtruction to Mr. Secretary Nicholas, for a new proclamation denouncing the accuſed members, ſpecially directed againſt thoſe who were harbouring them, and to be iſſued on the following day. The fact nevertheleſs is undeniable. Clarendon expreſſly mentions the publication of that particular proclamation on the "next day,"* and I have diſcovered in the State Paper Office the rough draft of it, with the date of the 5th of January, wholly in the handwriting of Charles himſelf. Kimbolton is not named in it. It is reſtricted to the five members of the Lower Houſe, with probably a lingering hope that the Upper Houſe, if the ſtruggle with them were put aſide, might yet be induced to act with the Court. It is endorſed by Nicholas, "His "Maties warr^t to me to draw upp a Proclama- "tion ag^t Mr. Pym, &c."; is addreſſed to "Our truſty and well-beloved Councell^r S^r "Edward Nicholas, Kn^t, our Principal Secre- "tary of State," and runs thus: "*Charles R.* "—Our will and pleaſure is that you forthwith "prepare a draught of a Proclamation declar- "ing ye courſe of our proceedings upon the "accuſation of High Treaſon and other high "miſdemeanours lodged againſt Mr. Denzill "Hollis, Sr Arthur Haſlerig, Mr. John Pym,

King's firſt act on return from City.

New proclamation againſt the members!

Rough draft in King's hand.

Kimbolton omitted.

Inſtructions to Secretary Nicholas.

* *Hiſt.* ii. 131.

"Mr. John Hampden, and Mr. William "Strode, members of Our Houſe of Com- "mons, who, being ſtruck with the conſcience
The guilty have eſcaped. "of their own guilt of ſoe hainous crimes, "have made their eſcape. And Our will & "pleaſure is, that you thereby commande all
Injunction to ſeize them. "our officers miniſters and loving ſubjects "to uſe their diligence in ye apprehending & "carrying of them, & every of them, to Our "Tower of London, to bee kept in ſafe cuſ- "tody, to bee brought to triall according to
Prohibition againſt harbouring them. "juſtice. And that, moreover, you prohibitt "all our loving ſubjects to harbor relieve "& maintayne them, with any other fit "clauſe. And for doing hereof this ſhall bee "yor ſufficient warrant. Given at our Court "at Whitehall this fifth day of January in the "17th yeare of our Reigne."

The City threatened. Any ſuch prohibition againſt harbouring the accuſed was in effect a threat againſt the City, launched preciſely at the moment when its author had diſcovered himſelf powerleſs to enforce it; and this circumſtance, even if the warrant had not been entirely in the handwriting of the King, muſt have ſufficed to
Solely the King's act. declare it excluſively the King's act. Here no doubt can exiſt. It would have been ſheer madneſs in any other man to aſſume, in ſuch circumſtances, the reſponſibility. It is not conceivable, for a moment, whatever part Nicholas or the reſt may have taken before the declared

and manifeſt failure, that they ſhould now have encouraged a perſiſtence ſo hopeleſs; ſo reckleſs, ſo impotently obſtinate and vain. It will ſhortly appear indeed, in expreſs terms, that by this time Nicholas very heartily had repented of having ever accepted his high office; and there is every reaſon to believe, that, from the day when the City thus declared againſt the King, Sir Edward required, for even the commoneſt miniſterial act connected with the impeachment of the members, Charles's own ſign manual. For the very printing of this proclamation the King has himſelf written the inſtruction, preſerved alſo in the State Paper Office.*

Hopeleſs and reckleſs perſiſtence.

Repentance of Nicholas.

Charles directs even printing of proclamation.

§ XXVII. Reassembling of the Commons.

Meanwhile, at ſome half hour after one o'clock on the ſame fifth of January, while the exciting ſcenes above deſcribed were in progreſs in the City, the Houſe of Commons had reaſſembled at Weſtminſter. The agitation of yeſterday had not ſubſided. The firſt act was to order that the doors be locked,† and the outer lobbies cleared of all perſons but ſer-

Wedneſday, 5th January, 1641-2.

Yeſterday's agitation not ſubſided.

* "Charles R. Our will and Command is that you "give orders to Our Printer to print Our Proclamation "for Apprehending of Mr. John Pym, Mr. John Hampden, "Mr. Denzil Hollis, Sir Arthur Haſelrigge, and Mr. "Wm. Strode. For which this ſhall bee yor warrant. "Given at Our Court at Whitehall this 6 day of Jan^y. "1641.

"To Sir Edwd Nicholas

"Our Principall Secretary." † *Harl. MSS.* 162, f. 307 b.

King's inſtructions to printer.

vants to members; that no member ſhould offer to go out without leave; and that ſome ſhould ſend forth their ſervants, to ſee what numbers of people were repairing towards Weſtminſter, and to bring notice to the Houſe. So prepared and watchful for other than the conflicts of debate, and with hands nervouſly clutching at leſs peaceful weapons, there ſat this day two hundred and ſixty members, and among them nearly ninety of the party of the King. The Royaliſts had not aſſembled in ſuch force ſince the debate and diviſion of the 15th of December on the printing of the Remonſtrance. When D'Ewes entered the Houſe, he found Grimſton, the member for Colcheſter, ſpeaking of "the "great breach of their privileges by his Ma- "jeſty's coming to the Houſe yeſterday with "ſo great a number of officers of the late "army, and men deſperate of purpoſe and "in fortune, armed ſome of them with hal- "berds and ſwords, others with ſwords and "piſtols, demanding to be delivered to him "Mr. Pym and other members of the Houſe, "whom he accuſed of high treaſon."

Watches ſent out.

260 members preſent:

90 of the King's party.

The member for Colcheſter leads debate.

Grimſton's ſpeech.

Its ſcope and value.

Mr. Grimſton's ſpeech was not only very able, ſtriking ſkilfully ſeveral chords which elicited loud and vehement reſponſe, but it cleared the ground for all the ſubſequent diſcuſſions, and at once gave to the reſentment which the King's act had aroused, its proper ſhape and right direction. Parliament,

he ſaid, had always claimed and exerciſed power and juriſdiction above all other courts of judicature in the land; its wiſdom and policy had been accounted of higher import than thoſe of any other council; and all orders in the State had been brought frankly to admit its rights and privileges, its power and juriſdiction, its free continuance. Whence and wherefore had proceeded, then, the interruption of which they complained?

Expoſition of the power of Parliament.

The anſwer to that queſtion was to be found by inquiry into what circumſtances they were which had given ſuch "aweful predominancy" to the very name of a Parliament in this nation. It was becauſe the ordinances and ſtatutes of that high court ſtruck with terror and deſpair all ſuch evil-doers as were malefactors in the State. It was becauſe, not alone the meaneſt of his Majeſty's ſubjects, but the greateſt perſonages of the kingdom, were in danger, if infringers of the law, to be called in queſtion by this higheſt court, and to be by it puniſhed. It was, on the other hand, becauſe the drooping ſpirits of men, groaning under the burden of tyrannical oppreſſion, had been from the ſame ſource enriched and comforted; while places and offices of power, both in Church and State, had been ſtruck out of the hands of the wicked and the unmerciful. He diſcovered the explanation to be, therefore, that the act of which they complained was the act of evil

Why ſo awfully predominant?

Becauſe it puniſhes evil-doers:

comforts the oppreſſed:

and ſtrips the wicked of place.

The late outrage due to evil counſellors.

counſellors who deſired, if poſſible, to break off and diſſolve a Parliament which had declared its intention to bring all incendiaries and delinquents in the State to condign puniſhment for their crimes.

Offences charged.

Then Grimſton pointed diſtinctly to ſpecific offences given by members of that Houſe, at which the articles of treaſon had been directed. He declared that no pretence exiſted for treaſonable charge except ſuch as conduct in the Houſe itſelf might have provoked. In reply to which, amid ſtern expreſſions of ſympathy from all around him, the member for Colcheſter claimed for himſelf, and for them all, the inalienable right, within the walls of Parliament, to ſpeak freely, without interruption or contradiction, in all debates, diſputes, or arguments, upon any buſineſs agitated therein. He claimed it as a privilege that they ſhould not be queſtioned for this by any human power. Whether, he went on to ſay, with alluſions he did not care to make leſs open and undiſguiſed, it were freely to give vote, judgment, or ſentence upon the reading of any bill to be made a law, or upon any bill *either of attainder* or other charge againſt delinquents and perſons criminous to the State; or whether it were, by free vote, to iſſue Proteſtation, *Remonſtrance*, or other Declaration; he claimed this for himſelf, and for all, as the ſolemn right and privilege of Parliament.

Conduct in Parliament.

Right to ſpeak freely.

Title not to have votes queſtioned:

whether on bills of attainder or others:

or in drawing up Remonſtrances.

Wherefore his concluſion was, that for

members of that Houſe to be accuſed of any crime, or to be impeached for treaſon by any perſon whatever, during the continuance of Parliament, for things done in the ſame, without legal accuſation and proſecution by the whole Houſe—and further, that to be apprehended or arreſted upon ſuch impeachment, or to have ſtudies broken open, and books or writings ſeized upon, without conſent and warrant of the whole Houſe—was a breach of the privilege and right belonging to the power, the juriſdiction, and the continuance of the High Court of Parliament. All which, he ſubmitted, it was in the higheſt degree expedient explicitly and promptly to embody, in a declaratory reſolution of the Commons of England.

Conclusion: Members accuſed for conduct in Houſe: lodgings entered and papers ſeized: a breach of privilege.

Grimſton reſumed his ſeat amid cries of approval which his ſolid and maſterly expoſition had well deſerved, and preparation was thereupon made to refer it to a Committee to draw up the neceſſary reſolution. This, however, was ſtoutly oppoſed by ſeveral of the Royaliſts, headed by Hopton of the Weſt. "Sir Ralph "Hopton and ſome five or ſix more," ſays D'Ewes, "excuſed his Majeſty's coming with ſo "extraordinary a number." But the majority, led by Glyn the member for Weſtminſter, ſteadily carried their point; and, proceeds D'Ewes, the Houſe "nominated Mr. Glyn and "ſome few others to withdraw into the Com-"mittee Chamber, and to draw up a declaration

Motion upon Grimſton's ſpeech. Oppoſed by Hopton. Excuſes for the King. Committee to prepare reſolution.

They retire: "to that end and purpoſe." They withdrew accordingly; and then roſe the member for Hertfordſhire, Sir William Lytton, to ſuggeſt

do nothing till their return. that no other buſineſs ſhould be taken in hand until their return. He was warmly ſeconded in this: Sir John Clotworthy, on the other hand, pointing out the urgency of Iriſh affairs, and deſiring that they might but append a ſhort reſolution to ſome propoſitions agreed upon by the Iriſh Committee. To the ſurpriſe of not a few, however, and of D'Ewes among them, it was found that this debate might have been ſpared; for, in the midſt of it,

They return in a quarter of an hour: Glyn and his friends returned. "During the "debate," ſays D'Ewes, "Mr. Glyn and the "reſt who were commanded to withdraw into "the Committee Chamber, having ſtayed "there about a quarter of an hour, now

with a reſolution written before we met. "brought down a long Declaration ready "penned, which was doubtleſs prepared and "ready written by ſome members of the "Houſe before we met this afternoon." D'Ewes here uneaſily refers to conſultations with Pym and the reſt in Coleman Street, to which

D'Ewes not in confidence of leaders: he had not been invited; but it is juſt to him to ſtate, that, throughout the invaluable record he has preſerved of theſe momentous ſcenes, from which details are here taken hitherto unknown, not even diſtantly referred to in the Journals of the Houſe, and of which no mention is made in Sir Ralph

Verney's or any other memorial, his perſonal jealouſies and diſlikes have ſmall weight againſt the gravity of the facts he reveals.

but his account truſtworthy.

He thus deſcribes the Declaratory Reſolution brought back by Glyn: "It contained in "ſubſtance that his Majeſty had yeſterday "broken the privileges of this Houſe, by "coming hither with a great number of "armed men, and ſtriking terror into the "members. And though we could not ſit "here in ſafety, nor properly fall upon the "agitation or handling of any buſineſs till "we had vindicated our privileges, yet our "care to uphold this commonwealth, and the "conſideration of the miſerable condition of "Ireland, had induced us firſt to adjourn this "Houſe to (and ſo a blank was left for the "day), and to appoint a Grand Committee "to ſit at the Guildhall in London at 3 of "the clock this afternoon, to conſider of the "means of our ſafety, and of the aſſiſtance "of Ireland, and to authorize the ſelect "committee of Iriſh affairs to ſit when and "where they pleaſed."

Glyn's Declaratory Reſolution.

Propoſed adjournment:

Grand Committee to ſit in the City.

This having been read by the Clerk, a warm debate aroſe. The oppoſition was led by Sir Ralph Hopton, who declared that there was no precedent for what therein was propoſed to be done. For his own part, he thought that many excuſes might be urged for the King's having come to the Houſe with ſo great a

Warm debate thereon.

Sir Ralph Hopton.

number, and ſo unuſually armed. And then he pleaded a neceſſity which the King himſelf had created (aſſuming this ſtatement of it to be true), to juſtify the outrage he afterwards committed.

Did not we give firſt provocation?

"Had we not ourſelves had divers of our "ſervants lately attending in the lobby without "the doors of this Houſe, armed alſo in an un-"uſual manner, with carabines and piſtols?"

And how gracious the King's ſpeech!

He begged the Houſe to remember, too, that the ſpeech his Majeſty made on the occaſion had been full of grace and goodneſs. In conclu-ſion, adds D'Ewes, "he did not think we could

Oppoſes Committee and adjourn-ment.

"appoint a Grand Committee to go into Lon-"don; nor would he have had us to have ad-"journed at all." Then followed ſome warm ſpeaking on both ſides; and the time originally named as the limit for the ſitting of the Houſe, as well as the hour for aſſembling elſewhere, had ſoon ſlipped away. In the end, D'Ewes

"Grand" committee alter-ed to "Se-lect."

tells us, "we reſolved to alter it from a Grand "Committee to a Select Committee, and to "adjourn the ſitting of this Houſe to Tueſday "the 11th, and it being between three and "four of the clock we did alter our meeting

Adjourn till to-morrow at 9 o'clock.

"this afternoon till to-morrow morning at "nine of the clock." Not, however, without a diviſion. Hopton and his friends objected equally to the Select Committee, and inſiſted upon dividing. "The Speaker," D'Ewes continues, "put the queſtion as followeth: "As many as are of opinion that a Committee

"shall be appointed by this House to sit at Guildhall in London, let them say Aye, to which there was a great affirmative; and to the negative, a less. Next, the Speaker appointed tellers for the Ayes, who went out (of which number I was), Mr. Arthur Goodwin and Mr. Carew. Their number was 170. And for the Noes, who sat still, he appointed tellers Mr. Kirton and Mr. Herbert Price, and the number was 86, and so it was carried accordingly."*

Division upon going into City.

170 against 86.

The naming of the Committee then took place. "And thereupon," continues the precise Sir Simonds, "Sir John Culpeper, newly made Chancellor of the Exchequer, and divers others, were named to sit a committee at the Guildhall in London to-morrow morning at 9 of the clock, and all that would come were to have voices: and they were to consider of the breach of the Privilege

Selection of the Committee.

All who come to have voices.

* *Harl. MSS.* 162, f. 308 a. In little more than a fortnight (see *ante* 36, 37), upon the impeachment of the Duke of Richmond (for his famous sally in the Lords upon the Militia Bill being brought under consideration, when he broke in upon sundry grave suggestions as to the day when discussion should be taken thereon, by advising as a greatly preferable course, "an adjournment for six months"), the King's party mustered in larger force, but the popular leaders had made corresponding exertion. The numbers then were 223 led into the lobby by Hollis and Stapleton, to 123 of whom the counters were Culpeper and Herbert Price. From a speech made on the occasion by D'Ewes, wherein he thought the only excuse that could possibly be made for the Duke was his being "a young man," some light may be thrown on the argument, *ante* 198, drawn from his applying a similar epithet to Strode. The Duke of Richmond was now nine-and-twenty. —*Harl. MSS.* 162, f. 356 b.

Division as to Duke of Richmond.

223 against 123.

Its duties. "of Parliament by his Majeſty's coming yeſter-
"day, with other particulars mentioned in the
"before-recited declaration." The Committee
Compriſes ſeveral Royaliſts. included, beſides Falkland and Culpeper, ſome ardent Royaliſts, and ſeveral not unfriendly to the King. Among theſe ſat Herbert Price, the member for Brecon; Sir Richard Cave, who
Names on Committee. ſat for Lichfield; Sir Ralph Hopton himſelf; Sir John and Chriſtopher Wray, the members for Lincolnſhire and Great Grimſby; Sir Benjamin Rudyard; the members for Cockerworth and Chippenham, Sir John Hippeſley and Sir Edward Hungerford. It compriſed, on the other hand, Glyn; Sir Philip Stapleton; William Pierrepoint (Earl Kingſton's ſecond ſon, who ſat for Great Wenlock), and Nathaniel Fiennes; Bulſtrode Whitelock, the member for Marlow; Sir Thomas Walſingham, who ſat for Rocheſter; the members for Weſtbury and Ludgerſhall, Mr. Wheeler and Mr. Walter Long; Sir John Hotham; Sir Walter Earle; Sir Robert Cooke, who ſat for Tewkeſbury; Mr. Grimſton and Sir Thomas Barrington, who ſat for Colcheſter; and the members for Devonſhire and Hertfordſhire, Sir Samuel Rolle and
Hyde, St. John, and Cromwell, abſent from it. Sir William Lytton. Hyde's name nowhere appears; neither does that of Oliver St. John, the Solicitor-General; and it is ſtill more remarkable that Cromwell's alſo ſhould be abſent. He may poſſibly have had preſſing

buſineſs to occupy him during theſe few days, on his couſin Hampden's affairs at Great Hampden.

Lord Liſle (Lord Leiceſter's eldeſt ſon, who ſat afterwards on the trial of the King), now moved that the Committee ſo appointed ſhould have power to iſſue out ſuch money as might be required for payment of the troops to be ſent into Ireland. Another reſolution connected with Iriſh affairs was alſo adopted on the ſuggeſtion of Stapleton. And then followed a brief but ſharp debate, raiſed upon a motion by Nathaniel Fiennes, that a meſſage ſhould go up to the Lords to let them know, that, "by "reaſon of his Majeſty coming to our Houſe "yeſterday in ſuch a warlike manner, we had "adjourned the Houſe till Tueſday next, at one "of the clock, and that we had in the meantime "appointed a Select Committee to ſit in the "Guildhall in London, to which all the mem-"bers of the Houſe who would come were to "have voices, to conſider of the breach of the "Privilege of Parliament and the ſafety of the "Kingdom." The debate ended in the naming of Mr. Fiennes and divers others to carry up this meſſage accordingly. But the Houſe aroſe, adds D'Ewes, before he returned, or was able to bring any anſwer.

Motion by Lord Liſle.

Iriſh affairs.

Sharp debate led by Fiennes.

Meſſage to Lords.

Abrupt riſing of Houſe.

§ XXVIII. A SUDDEN PANIC.

THE Houſe ſuddenly aroſe, in truth,

becauſe there had broken out a ſudden alarm.

Armed men marching upon us.

It was abruptly bruited at the doors that a body of armed men were in march upon them, and a panic of agitation enſued. Sir John Clotworthy was in the act of urging certain neceſſary reſolutions for the ſervice of Ireland, connected with the ſupply of men and arms, when ſhouts of "Move, move," and "Adjourn," interrupted him; and though the

Sir John Clotworthy perſiſts with reſolutions.

imperturbable member for Malden would perſiſt in having what he wanted, the votes were put without the uſual forms. "All were "allowed," ſays D'Ewes, "and voted by the

Voted without being read.

"Houſe, but in ſuch haſte as they would not "permit the Clerk to read them." Then, in the like precipitate faſhion, adjournment until the following Tueſday at one o'clock was reſolved upon the queſtion. Mr. Speaker ordered the

Diſorderly adjournment, 4 P.M.

adjournment accordingly; and the Houſe roſe in extreme diſorder "at about four of the "clock in the afternoon."

D'Ewes appends to the day's journal an explanation, from which it might ſeem that the ſudden fright had not been wholly groundleſs.

Reaſons for the fright.

"For," he ſays, "we had new alarums given "us of the coming down of armed perſons "upon us: and it was generally reported alſo, "that his Majeſty had intended to have come "down to both the Houſes this afternoon, "again attended with the deſperate troop with "which he came yeſterday, and to have

" accuſed ſome other members, both of our " Houſe and of the Lords Houſe, of Treaſon, " and to have ſeized upon their perſons: but " that, going into the City of London this " morning, he was there ſo roundly and plainly " dealt withal by people of all ſorts, who " called upon him to maintain the privilege of " Parliament; to follow the advice of his " Great Counſell in Parliament, without which " they were all undone" (D'Ewes here appears to be repeating the expreſſions of ſome excited friend rather than quietly recording his own) —" and that their blood would cry to Heaven " for juſtice—and that they would with their " lives and fortunes maintain the ſafety of his " Majeſty's perſon, and the ſafety and Privi- " lege of Parliament; ſome alſo throwing the " printed Proteſtation of the Houſe of Com- " mons into his coach as he went along; as " that he both returned late out of the City, " and altered, it ſeems, his former reſolution."*

Other members to be accuſed and ſeized.

City only had prevented it.

Alarm of the King.

Change of purpoſe.

It is now of courſe not difficult to make light of theſe alarms, and to ſmile at their not very coherent expreſſion; but we may be ſure that they were then very real. It was of the very eſſence of the King's attempt that it ſhould carry ſuch conſequences. Whatever diſtruſt or doubt had been in any direction entertained of the Sovereign, it confirmed. To the rumours which had mixed him up with

Reſults of 4th January.

Darkeſt rumours thought true.

* *Harl. MSS.* 162, f. 308 b.

Scottiſh "Incident:"

very recent and as deſperate deſigns in Scotland againſt the leaders of the Covenant,* to

Offer of Montroſe to kill Argyle and Hamilton.

Mr. Napier's diſproof quite untenable.

The text of Clarendon.

Chief value of Edition of 1826.

Diſcloſed Author's plans and text.

Hiſtory compoſed of two MSS.

Secretary's tranſcript.

Altered and corrupted by author's ſons.

* In alluding to this tranſaction in my Eſſay on the Grand Remonſtrance (*Hiſt. and Biog. Eſſays*), and to the ſtatement by Clarendon (*Hiſt.* ii. 17), that Montroſe had "frankly" ſuggeſted to the King the aſſaſſination of Argyle and Hamilton, I ought perhaps to have mentioned a highly elaborate argument in Mr. Napier's *Life of Montroſe* (ii. 78-109), the drift of which is not merely to defend Montroſe from having made the offer, but to endeavour to eſtabliſh that Clarendon's aſſertion that he had done ſo was not originally intended to ſtand as part of his text, and in fact only uſurps the place of a ſuppreſſed paſſage reſtored in one of the Appendices of the edition of 1826. Upon the former part of this argument I offer here no opinion; but upon the latter I have ſimply to ſay that it breaks down altogether. It is not for a moment tenable. The text of Clarendon muſt always now continue in the ſtate wherein he left it himſelf after his laſt reviſion, clearly copied out by his ſecretary for publication or ſuppreſſion, according to certain directions in his will; and the chief value of the edition of 1826 will always be, that it enabled us for the firſt time to read it in that ſtate. The confuſion which exiſts as to the ſeveral MSS. left by him, and from which that important collation was made, ariſes from the fact that ſeveral years after he had planned his Hiſtory and written the firſt four books, he reſolved to recaſt the plan ſo as to admit therein of all the incidents of his own Life. He thereupon began an Autobiography; but after purſuing it for ſome time, he threw it aſide, and reverted to his deſign of a Hiſtory, making great additions to that which already he had written, and completing it in 1673. His final taſk then was, to form, from the two MSS. thus drawn up (the *Life* having gone over, in a more ſtriking way, much of the ground of the firſt four books of the Hiſtory), a third text, by taking the MS. of the Hiſtory for the baſis, and importing into it all the material portions and corrections of the MS. of the Life. The reſult was a fair tranſcript made by his Secretary under theſe inſtructions, which was found completed at his own death, in December 1674. Afterwards came the publication, mainly from a copy of this tranſcript, by his ſons: with the modifications, alterations, and omiſſions, which, in exerciſe of the diſcretion left to them by their father, they had made to pleaſe their political friends, or out of delicacy to perſons ſtill living; and which ſo remained until 1826. The edition publiſhed that year was the reſult of an entirely new collation of the three MSS. above named: 1. The original MS. of Hiſtory: 2. The original MS. of Life: 3. The Tranſcript conſtructed

even thoſe which had pointed to him as not unconnected with the awful outbreak in Ireland, Iriſh rebellion:

out of both. The Editors, lettering the Tranſcript as A, the Life as B, and the Hiſtory as C, collated the whole afreſh; reſtored in Notes every word, ſentence, and paſſage omitted or in any manner altered in A; and, in a ſeries of Appendices, ſupplied (reſorting for the purpoſe to B and C), in addition to all that the author's ſons had rejected, ſtill more which the author himſelf had already deliberately excluded from the Tranſcript made under his inſtructions. We are thus enabled to compare particular ſtatements made by Clarendon in his firſt draft of the Hiſtory, with accounts of the ſame incidents manifeſtly more authentic, and better conſidered, which he had ſubſequently inſerted in the Life, and had finally directed to be ſubſtituted for the former in his Secretary's Tranſcript. The reader will at once perceive what I mean, if, to ſelect only one or two out of very numerous inſtances, he makes compariſon of Appendix i. 536 (MS. C.) with i. 416 (MS. B.); or of ii. 61—2, note (MS. C.), with ii. 44—49 (MS. B.); or of Appendix ii. 575—9 (MS. C.), with ii. 13—19 (MS. B). The latter of theſe inſtances is that under notice reſpecting Montroſe; and it does not admit of the remoteſt doubt that the account in the Appendix, taken from the firſt four books of the Hiſtory, written before 1648, and afterwards rejected, was meant by Clarendon to be entirely ſuperſeded by the account in the Life, written many years later, and, by his own direction to his Secretary, placed in the final Tranſcript, where it has ſtood ever ſince, and muſt continue to ſtand. Even apart from the other irreſiſtible evidence, the context ſo concluſively ſhows this, that but for Mr. Napier's extraordinary ſuppoſition to the contrary, ſuggeſted by zeal for his hero, and maintained with an air that impoſes on readers ſuperficially informed, the details I have entered into would ſcarcely have been called for. It is ſimply ridiculous to pretend that the paſſage complained of, and (be it true or falſe) undoubtedly left by Clarendon, in the final diſpoſition of his papers, to ſtand where it now does, could by poſſibility have fallen into that place by accident. Lords Clarendon and Rocheſter had no alternative but to print it; and with what reluctance they did ſo is proved by what we now know of their ſubſtitution, for "to kill them "both," of the words "to have them both made away." The point, however, was well worth clearing, becauſe all the illuſtrative matter in the 1826 edition requires to be read with careful reference to the fact that the author had deliberately and deſignedly excluded the greater part of it from his completed text (an inſtance may be referred to, *ante*, p. 215, *note*); and it is exceedingly important, in reading Clarendon, to keep

Reſtorations.

Scaffoldings of Hiſtory.

Later and earlier verſions of ſame events.

The Montroſe charge, the later verſion.

Intended ſo to ſtand.

Impoſſible not to print it: reluctance of firſt Editors.

Additions in 1826

and Army plot:

it ſeemed to give deadly corroboration. It put undoubtedly beyond further queſtion what the popular leaders had all along maintained, that the deſign, clearly proved, of bringing up the army from the North, had had for its ſpecific object to overawe themſelves and ſuſpend the action of Parliament. Clarendon ſpeaks as if the failure of the Arreſt ſufficed to ſhow its futility, and there an end. But he

King's ſuſpected ſhare in.

not to be confuſed with reſtorations.

the diſtinction always in view between that deſcription of new matter ſupplied in the 1826 edition, and the more eſſential reſtorations reconſtituting the original text, which had been corrupted and falſified in innumerable inſtances by his ſons, Lords Clarendon and Rocheſter, in preparing the firſt edition.

Two kinds:

The portions firſt printed in Notes and Appendices in 1826 are of two kinds: i. The reſtoration of the text to the condition in which Clarendon himſelf had left it, by reſtoring ſuppreſſed paſſages, and replacing modified or altered phraſes and ſentences: ii. The additional illuſtration of the text by ſupplying further notices or amplifications of ſpecial incidents treated therein, from the two manuſcripts, B and C, which I have above deſcribed: and the degree of authority given to either ſhould be regulated according to the facts here ſupplied.

weight reſpectively due to each.

I cloſe, as I began, by ſtating moſt expreſſly that, according to all the evidence we poſſeſs, it muſt have been, and was, the deliberate intention of Clarendon, upon reviewing all the materials he had collected, to convey to the readers of his Hiſtory, as his own final impreſſion, that Montroſe had "frankly" propoſed to the King the aſſaſſination of Argyle and Hamilton. Upon the probability or otherwiſe of ſuch an offer having been made, it is not neceſſary that I ſhould here give an opinion; but it is impoſſible to read the text in connection with the Appendix (of which, taken together, it is important to remark, as Mr. D'Iſraeli in his *Commentaries*, ii. 242-52, ed. 1851, has pointed out, that they are not in any reſpect irreconcileable), without an inference, amounting almoſt to certainty, that the King himſelf was Clarendon's informant. And the explanation of the two accounts may probably be, that, writing while Charles ſtill lived, Clarendon preferred to expreſs the matter in paraphraſe; but that, writing of the incident at a later time, after the king's death, he had no heſitation in putting it, as he ſays Montroſe did the propoſal, "frankly."

Charge deliberately intended.

The King its authority.

Why firſt verſion of it changed.

well knew that this was not ſo; and that it was leſs the firſt excitement attending ſo ſtartling an attempt wherein its troubles and danger conſiſted, than in its ſubſequent more enduring effect upon men's modes and ways of regarding public affairs. He unconſciouſly admits as much in another paſſage of his Hiſtory, when he remarks that everything formerly ſaid of plots and conſpiracies againſt the Parliament, which before had been laughed at, was now thought true and real; and that all which before was merely whiſpered of Ireland, was now talked aloud and printed.

Conſequences of outrage worſe than itſelf.

Belief obtained for groſſeſt charges.

The various letters of the time are filled with ſimilar indications. "All things are now "in ſoe great diſtraction heare," wrote Captain Carterett on the day after this ſitting of the Houſe, "that there is noe thinking of "doeing anything; but every-body are pro- "viding after their owne ſafetie as if every- "thing were inclainable to ruine." "By "the next poſt," writes Mr. Wiſeman, "you "may expect to heare of greate changes "either for the better or worſe. The times "are dangerous to diſcourſe what I might. "Only if God, in his greate mercie, doe not "ſpeedely looke upon us, wee are like to "periſh. The obedience of his Maties ſubjects "hath been poiſoned." The incidents of the 3rd and 4th of January, in ſhort, had drawn up into hoſtile forces two powers in the

Captain Carterett's fears.

Mr. Wiſeman's.

Obedience poiſoned.

Powers of the State in conflict.

State whoſe agreement was eſſential to its welfare, but which never more could act in concert or uniſon till the ſtruggle between them was over, and a victory won. This was a fact pregnant with general alarm for all men, and moſt for the thoughtful and reflecting.

Specific cauſes of alarm.

Neither were reaſons wanting for ſpecific and well-grounded alarm as to the actual perſonal ſafety of the accuſed and other members of both Houſes. From the very writer who laughs to ſcorn the notion that there was any ſort of danger, we may learn what, and how great, the danger was. It is Clarendon, as we have ſeen, who relates the plan by which his friend Lord Digby, according to him the ſole adviſer of the attempt, propoſed to redeem its failure by ſeizing himſelf upon the accuſed, backed by ſufficient numbers to render it certain that they muſt either be taken or left dead in the place. It is Clarendon who ſays, that, if the King had not withheld his conſent, without doubt Lord Digby would have done it. It is Clarendon who drily remarks upon that preſumed ſucceſs to a plan ſo atrocious, that it "muſt have had "a wonderful effect." Above all it is Clarendon who, by way of practical proof of his aſſertion that no perſonal danger could poſſibly have befallen the accuſed, actually puts forward a plan of his own by which, taking good care firſt to ſecure and lock up ſeparately the perſons of the five leaders, he fancies that ſuch

Digby's plan for ſecuring members.

King withholds conſent.

Clarendon's own plan.

To ſeize and throw them into ſeparate priſons.

a blow might have been ſtruck at what he calls "the high ſpirit of both Houſes" that Charles might have reduced them to treat, and ſo have forced them to his own terms.*

§ XXIX. How History may be written.

The aſſertion that the Five Members were at no time in any perſonal danger, admits but of one comment. It is not true. Concluſive proof has been given, in a former work,† of the faithleſſneſs and untruſtworthineſs of Clarendon as any ſafe guide to a knowledge of the events for which Hume accepted him as the ſole and implicit authority, and in which his lead has been more or leſs followed by every later hiſtorian. But if further ſimilar evidence be deſired, let me ſupply it by ſimple compariſon of his account of the ſitting of the Houſe of Commons of Wedneſday the 5th of January, with that which I have above derived from the manuſcript of Sir Simonds D'Ewes, and from other contemporary ſources. Until now, Clarendon's was the only account preſerved to us of that ſitting, except a memorandum of eight lines by Sir Ralph Verney, and another by Ruſhworth of exactly the ſame

Faithleſſneſs of Clarendon.

Unſafe guide.

Compariſon with D'Ewes:

Verney and Ruſhworth.

* See *ante*, pp. 143, 149, and 153, where the authorities are given for theſe various aſſertions.

† Eſſay on the Grand Remonſtrance. See *Hiſt. and Biog. Eſſays*, i. 1-175.

extent.* The record by D'Ewes was made on the day to which it refers; it is confirmed by Verney's and by Ruſhworth's notes; and its veraciouſneſs is beyond queſtion.

Statement by Clarendon.

"When the Houſe of Commons next met," ſays Clarendon in his Hiſtory,† "none of the "accuſed members appearing, they had friends

Alleged tone of members' friends.

"enough, who were well inſtructed to aggravate "the late proceedings, and to put the Houſe "into a thouſand jealouſies and apprehenſions, "and every ſlight circumſtance carried weight

Verney's account of ſitting of 5th.

* Sir Ralph Verney ſays: "Wedneſday, 5th Jan^r. 1641. "The Houſe ordered a Comittee to ſit at Guildhall in London, "and all that would come had voyces. This was to conſider "and adviſe how to right the Houſe in point of privilege, "broken by the King's coming yeaſterday, with a force, to "take members out of our Houſe. They alowed the Iriſh "Comittees to ſit, but would meddle with noe other buſineſſe "till this were ended. They acquainted the Lords in a "meſſage with what they had donn, and then they adjorned "the Houſe till Tueſday nèxt." (Verney's *Notes*, 139-40).

Ruſhworth's account.

Ruſhworth ſays (part III. vol. i. 478-9): "The Commons "ſent Mr. Fiennes with a meſſage to the Lords to give them "notice of the King's coming yeſterday, & that they "conceived it a high & great breach of privilege: & to "repeat their deſires that their Lo^ps would join them in a "petition to the King that the Parliament may have a Guard "to ſecure them as ſhall be approved of by his Majeſty, and "both Houſes; and alſo to let them know, that they have "appointed a Committee to ſit at Guildhall London, and "have alſo appointed the Committee for Iriſh affairs to meet "there." Then he quotes the order paſſed for adjournment to the City, on the ground "they cannot with the ſafety of "their own perſons, or indemnity of the rights & Privileges "of Parliament, ſit here any longer without a full vindication "of ſo high a breach, & ſufficient Guard wherein they may "confide:" to which, after appending the names of the Committee, and that all who will come are to have voices, he adds: "and then the Houſe adjourned till Tueſday the 11th "of January at one in ye afternoon, according to the ſaid "Order."

Adjournment to City.

† *Hiſt.* ii. 132, 133.

" enough in it to diſturb their minds. . . .
" They who ſpake moſt paſſionately, and
" probably meant as maliciouſly, behaved
" themſelves with modeſty, and ſeemed only
" concerned in what concerned them all: and
" concluded, after many lamentations, that they Affected fears and griefs.
" did not think themſelves ſafe in that Houſe,
" till the minds of men were better compoſed;
" that the City was full of apprehenſions, and
" was very zealous for their ſecurity; and
" therefore wiſhed that they might adjourn the Propoſal to adjourn Parliament.
" Parliament to meet in ſome place in the City.
" But that was found not practicable; ſince
" it was not in their own power to do it, with-
" out the conſent of the Peers and the concur-
" rence of the King; who were both like King's wiſh to get Parliament away from London.
" rather to chooſe a place more diſtant from
" the City. And, with more reaſon, in the end
" they concluded, that the Houſe ſhould
" adjourn itſelf for two or three days, and
" name a committee who ſhould ſit both Appointment of Committee.
" morning and afternoon in the City; and
" all who came to have voices: and Mer-
" chant Tailors' Hall was appointed for the
" place of their meeting, they who ſerved
" for London undertaking that it ſhould be
" ready againſt the next morning: no man
" oppoſing or contradicting anything that was
" ſaid; they who formerly uſed to appear for Royaliſts ſilent.
" all the rights and authority which belonged
" to the King, not knowing what to ſay,

" between grief and anger that the violent " party had, by theſe late unſkilful actions " of the Court, gotten great advantage, and " recovered new ſpirits: and the three perſons " before named" (himſelf, Culpeper, and Falkland), " without whoſe privity the King " had promiſed that he would enter upon no " new counſel, were ſo much diſpleaſed and " dejected, that they were inclined never more " to take upon them the care of anything to " be tranſacted in the Houſe."

Three King's adviſers:

too dejected to ſpeak.

This account contains five alleged facts. 1. That the popular party went down to the Houſe with a propoſal for the adjournment of Parliament. 2. That the propoſal ſubſtituted was an adjournment of the Houſe itſelf for two or three days. 3. That Merchant Tailors' Hall was appointed as the place of meeting for a Committee named to ſit in the interval, the members for London undertaking to have it ready the next morning. 4. That no man belonging to the King's party oppoſed or contradicted anything that was ſaid. 5. That Hyde, Culpeper, and Falkland, were too much diſpleaſed and dejected to ſhow any preſent inclination to take upon them the care of anything to be tranſacted in the Houſe.

Clarendon's account ſummed up.

Five ſpecific ſtatements, all untrue.

On the other hand, the account preſerved by D'Ewes, and confirmed in every reſpect by the brief notes of Verney and Ruſhworth, as

Confronted with D'Ewes, Verney, and Ruſhworth.

well as by the unpubliſhed contemporary letters here adduced, furniſhes a counterſtatement to every one of theſe averments. 1. There never was mooted ſo abſurd a propoſition as to adjourn Parliament. The courſe had doubtleſs been concerted, as D'Ewes ſomewhat pettiſhly intimates, with the abſent leaders; and the Declaratory Reſolution was propoſed and carried, as, prepared and ready written, it had been brought to the Houſe. 2. The limit of adjournment was at once diſtinctly ſpecified as Tueſday the 11th January, and it will be ſeen hereafter that the hiſtorian was not without a motive in ſubſtituting the looſe and undetermined "two or three days." 3. Guildhall was from the firſt named and appointed, and not Merchant Tailors' Hall, as to which, therefore, the queſtion of getting it ready could hardly have ariſen. 4. So far from no man belonging to the King's party contradicting or oppoſing anything that was ſaid, Sir Ralph Hopton (the King's ſervant, as Ruſhworth calls him) contradicted everything that was ſaid without ſcruple; and the oppoſition was ſo determined that the Royaliſts divided 87 againſt the propoſal of Glyn, which was four more than the diviſion of the 15th of December againſt the printing of the Remonſtrance. 5. Hyde undoubtedly took no part, and was probably not in the Houſe; but Culpeper and Falkland were named for the

Never propoſed to adjourn Parliament.

Limit of ſtay in City ſpecified.

Merchant Tailors' Hall not named.

Royaliſts not ſilent.

Culpeper and Falkland on Committee.

Committee to ſit during the receſs, and ſerved upon it.

§ XXX. Adjournment and Suspense.

Maſter-ſtroke of meeting in the City.

The adjournment into the City was undoubtedly a maſter ſtroke of policy. The act of violence committed, the continued preſence of the Court of Guard at Whitehall, the refuſal of its officers to diſband upon a meſſage ſent ſpecially from the Commons on the morning of the 5th, the petition to the King for a Guard ſtill uncomplied with, were all manifeſt and unanſwerable grounds for ſuſpending temporarily the ſittings at Weſtminſter. But the Houſe could not afford that its viſible action and influence ſhould be withdrawn, even for an hour; and to ſit by Committee in Guildhall, was not merely to make inſtant appeal, in the leaſt reſiſtible form, to the ſympathy and ſupport of the Citizens, but at once to caſt in the fortunes of the Houſe with the fate of the five accuſed, who had taken refuge in a houſe in Coleman Street. Clarendon laughs at the notion of any member of the Commons conceiving for a moment that his accuſed colleagues were in the leaſt danger. Not that the Five durſt not, he avers, venture themſelves at their old lodgings, for no man would have preſumed to trouble them; but that the City might ſee that they relied upon that place for a ſanctuary of their privi-

Neceſſity of ſuſpending Weſtminſter ſittings.

Policy of appealing to Citizens.

Alleged abſence of danger.

leges againſt violence and oppreſſion.* He ſays, as in a paſſage formerly quoted we have ſeen, that all cauſe for apprehenſion ceaſed upon the failure of the outrage of the 4th; and that nothing could equal the contempt the accuſed themſelves felt for the power, of which they yet affected to put on a conſiderable ſhow of dread. This laſt was merely "to keep up the apprehenſion of danger and the eſteem of their darling the City."† But let us obſerve what tone, on the other hand, is taken by Admiral Pennington's well informed correſpondents; men not alone intimately acquainted with all the movements of the Court, but the moſt important of them himſelf in office, and enjoying the confidence of the principal Secretary of State. It never once occurred to theſe men, at leaſt until the ſhout of Privilege of Parliament was become univerſal, and the King had fled before it, that his impeachment of Pym and Hampden would be, or was meant to be, a mere dead and empty letter. For ſeveral days after the articles of accuſation were publiſhed, the accuſed are ſpoken of everywhere, in each and all theſe letters, as men whoſe fate abſolutely is hanging in the balance.

Fears pretended:

to get help from "darling" City.

But what ſay private letters in State Paper Office?

Serious alarm at impeachment.

Fate of members in balance.

Mr. Wiſeman, four days after the outrage, fears it to be impoſſible but that the affair will have bloody iſſue, becauſe the Houſe is

Wiſeman's view:

* *Hiſt.* ii. 130. † *Ib.* ii. 178.

not more determined than the King ſtill appears to be. The Under Secretary of State writes in doubt, on the third day after the failure of Charles's attempt at the Houſe, whether the accuſed are not actually fled. And, on that ſame day, Captain Carterett deſcribes his apprehenſion that there muſt be ſerious diſturbance before all things could be rightly underſtood, for that many would have the accuſed members to be brought to their trial, and others not, ſaying it was againſt the privileges and liberties of the Parliament. "I "am not wiſe enough," continues the honeſt ſeaman, "to diſtinguiſh the Right of it, but "this I am certaine, that our good King is "much abuſed. On Tueſday hee went to the "Houſe of Comons to demand thoſe men wch "were acuſed, but noe anſwer was given him. "Yeſterday hee went into the Citty, and after "he had ſpent ſome tyme in Guyldhall (to give "ſatiſfaction of his good meaning towards his "people), he went to one of the Sheriffs to "dinner. The two Houſes have adjorned "untill Tueſday nexte; and this day there was "a Comittee of both the Houſes in Guyldhall, "where they have voted that thoſe men accuſed "ſhall not be apprehended nor detained, ſoe "that I feare very much that this will increaſe "the diſturbances of the tyme. This day, one "Serjant Dandie went into London to take "the accuſed men to aprehend them, where

the Under-Secretary's:

Captain Carterett's: 7th January. S.P.O.

Gives no opinion, but ſtates the fact.

Vote of Houſe for the accuſed.

Serjeant Dandie gone to ſeize them.

" hee was much abuſed by the worſe ſort of Attacked
" people. My wife is yr humble ſervant and by the people.
" wiſhes you a mery new yeare, and ſoe doth
" G. CARTERETT."

Strange, if what Clarendon ſays be true, that the King ſhould have laboured ſo hard to bring upon himſelf the quite needleſs and gratuitous ſuſpicion, and upon his agents and officers the abuſe and hatred, of even the "worſe ſort" of his people! I have ſhown that with his Obſtinate reſolve of
own hand, on the evening of his return from King.
the City, Charles had drawn up the proclamation againſt ſuch as ſhould continue to harbour the traitors; and on the following morning, it is placed beyond doubt by Captain Carterett's ſtatement, one of the Royal ſerjeants was diſpatched into the City to endeavour again to complete the arreſt. To what extent moreover, in the City itſelf, all this was thought to ſavour of an actual and preſent danger, I am further able to ſhow on the teſtimony of a friend of the Earl of Northumberland's. "My noble Thomas Smith to Pennington: 7th January. S.P.O.
" Compeer," writes on the 7th of January the ſecretary of the Lord Admiral to the Admiral commanding in the Downs: "Though I writt
" to you ſoe lately, yet I cannot chooſe but
" give you ye occurrences of ye time. They
" being of ſuch importance. The ſix Delin-
" quents continue in ye Citty, and are there pro- Protection of accuſed againſt King.
" tected againſt ye King's mind. This breeds
" diſpleaſure in him, feare in all. Some have

King will uſe force. "perſuaded ye K. to raiſe force to fetch ym
"out. This made ye Cittie laſt nighte to bee
"all in armes, and ye gates and Portcullises to
"bee ſhutt; and for ought I heare, are ſo yet.
"The Cittizns delivered a Petition yeſterday,
"humbly beſeeching his Matie that thoſe men
"might be proceeded agt in a Parliamentary
City reſolved to reſiſt. "way: no anſwer yet. 'Tis beleeved ye Cittie
"is reſolved to protect ym. Some well affected
"Nobles to both ſides do labor to pacifie the K.
"Some ill affected labor as much to bring all
"to confuſion with falſe tales. Wee knowe
"God help us!" "both. God help us! Your true Friend and
"humble ſervant, THOMAS SMITH."

This letter outruns by a day the point at which our narrative had arrived, but another remains to be cited which will take us back to that riſing of the Houſe at Weſtminſter on the 5th January, preparatory to the ſittings in Guildhall. "The Houſe yeſterday," wrote Captain Slingſby on the 6th, "were very high
"againe, and, I perceive, not reſolved to
"deliver the men in that are impeacht: they
"adjorned the Houſe till Tueſday nexte, before
"wch time the King ſhall have no anſwere:
"but in the meantime a Comittee of the whole
"houſe to meete at Guyldhall. This day, being
"in the Privy Chamber, I heard ſome Parlia-
"ment men diſcourſing of it. Some ſayd they
"would not go to Guyldhall, becauſe the men
"impeacht wold be there: and, ſince the reſt

Slingſby to Pennington: 6th January. S.P.O.

M.P.s diſcourſing of adjournment to City.

Many refuſe to go.

" would not deliver them, they might be all " acceſſories.* The Houſe is yett very thinne; " as I am tould, above 200 of them in the " country, who can not come up according to " the Proclamation, by reaſon of the greate " floodes; many in the towne forbearing to " come there. There is no other diſcourſe " but of open armes, if thoſe men be not " brought to tryall. The ill affected Partie " (wch are thoſe y^t^ follow the Courte) doe " now ſpeake very favourably of the Iriſh; " as thoſe whoſe grievances were greate, there " demaunds moderate, *and may ſtand the Kinge* " *in much ſtead:* many libells printed againſt " the King."

Fear to be thought "acceſſories."

Threats if accuſed not given up.

Royaliſts begin to favour Iriſh.

No printed libel, however, it is much to be feared, could poſſibly have been worſe than this written one, of which Captain Slingſby is here unwittingly the author. It has been always one of the graveſt of the Royaliſt charges againſt Pym, that in his famous ſpeech before the Upper Houſe delivered in a week from this date (wherein he warned the Lords of the danger it might prove to themſelves if they left the great taſk of ſaving the liberties of the kingdom to the Houſe of Commons alone), he advanced a charge, unſupported by any kind

Pym's heavieſt charge proved true.

* Preciſely the argument uſed in the Houſe of Commons itſelf by Hyde's friend and fellow "rat," Holborne (*Hiſt. and Biog. Eſſays*, i. 170), famous once for his ſplendid argument againſt ſhip-money, delivered amid clapping of hands and ſhouts of popular delight which the judges found it impoſſible to reſtrain.

Holborne's argument.

of proof, againſt the King and the King's friends, that ſo far from entertaining any laudable eagerneſs to bring to condign puniſhment the leaders of the cruel maſſacre and rebellion in Ireland, they had given the Houſes too much reaſon to ſuppoſe that they felt towards them ſympathy and favour. Can it be ſaid, after reading what is written by Captain Slingſby, that Pym had not good authority for the charge he made?

Sympathy with Iriſh rebellion.

§ XXXI. Commons' Committee at Guildhall.

Meanwhile the Committee at Guildhall, doubtleſs not greatly caring whether Captain Slingſby's friends may pleaſe to join them this day or not, have punctually aſſembled at the Guildhall on the morning of the 6th of January, and are now awaiting us.

Thurſday morning, 6th January.

Of the proceedings of that Committee, beyond the fact that they took evidence as to the incidents of the 3rd and 4th which were ſubſequently reported, no account exiſts except in theſe valuable notes of D'Ewes. The Journals of the Houſe are entirely ſilent during the interval from the 5th, the day of adjournment, to the 11th, that of reaſſembling. Ruſhworth devotes to thoſe days only a few lines, in which he makes brief alluſion to the evidence which was taken in the courſe of the ſittings. Sir Ralph Verney mentions but the

No exiſting report of proceedings.

Slight notices in Ruſhworth and Verney.

ſix reſolutions* that were paſſed, on the days when the Committee ſat at Grocers' Hall, in reference to the breach of privilege committed. Clarendon, not affecting to give particular account of anything, confuſes everything. D'Ewes alone, who attended the Committee each day at Guildhall and at Grocers' Hall, has preſerved anything like a regular record of its proceedings. And this is here given to the world as D'Ewes ſet it down each day.

Confuſions of Clarendon.

A regular record by D'Ewes.

He begins his journal of Thurſday the 6th of January, by ſtating that a great number of the Houſe met at the Committee at the Guildhall, in London, that forenoon about ten of the clock. "I came thither about eleven of "the clock. We ſate in the room within the "court into which the juries do ordinarily "withdraw."

Where the Committee ſat.

They had been greeted, on arrival at the committee room, by a deputation of the leading members of the Common Council, in their robes and chains; and a military guard compoſed of ſome of the wealthieſt of the citizens, every man having his footman in ſuit and caſſock with ribbons of the colours of his company, was in cloſe attendance during all their ſittings. Nor were the good old hoſpitalities of the City wanting; and D'Ewes has more than once to ſuſpend his report that he

Welcome of the Citizens.

Military guard in attendance.

* See *Notes*, 140-141.

City hoſpitalities.

may inform us, that about one of the clock he withdrew out, intending to go away, but coming into the Hall he found a feaſt prepared for the entertainment of the members, whereat he dined before he departed, and they had "great cheere."

"Great cheer."

The firſt matter they fell upon at the Guildhall, D'Ewes proceeds to tell us, was the unjuſt and illegal proceedings againſt Pym and the other members, inſtituted by the King's Attorney in the Lords' Houſe on the previous Monday. What Grimſton had treated generally in his very able addreſs, was now to be handled in detail. "It was firſt debated and reſolved "that the ſaid impeachment there was illegal "and a breach of the privilege of Parliament. "Then they fell in debate, which continued "when I came in, that the ſealing up of the "doors of the chambers and ſtudies of the "ſaid Mr. Pym and Mr. Hollis, on Monday "morning laſt, was a breach of the liberty of "the ſubject and of the privilege of Parliament; and this was alſo voted upon the "queſtion. Then we fell in debate concerning the King's iſſuing out warrants, ſigned "with his own hand, to Mr. Francis and others "his Serjeants-at-Arms, to attach their "bodies: that they were illegal, and againſt "the liberty of the ſubject and the privilege "of Parliament." *

Firſt matter debated.

Searching lodgings, and ſealing up papers.

Iſſuing illegal warrants.

* *Harl. MSS.* 162, f. 309 a.

The Committee thus wiſely began at the beginning, queſtioning the Attorney-General's proceeding by impeachment before diſcuſſing the outrage that followed. The ſolitary argument of any weight that is uſed by Clarendon in palliation of the conduct of the King, aſſumes that the popular leaders claimed their privilege of Parliament as an immunity even from the charge of treaſon: we ſhall now ſee on what foundation this reſts, and with how much truth any argument baſed thereon could be urged. Upon the laſt propoſition as to the warrants of arreſt, a debate aroſe, in which Nathaniel Fiennes and one or two more took part; and in the courſe of it a ſuggeſtion was made that the Committee ſhould ſend to Mr. Brown, the Clerk of the Houſe of Lords, for a copy of the proceedings in that Houſe againſt the five members of the Lower Houſe. Upon this D'Ewes aroſe, and made certainly the moſt able ſpeech, moſt ſerviceable in knowledge and illuſtration, and going moſt directly to the points in iſſue, of any from himſelf that he has recorded in his Journal. Its reception by the Committee generally, is honourable evidence of their temper and ſpirit.

Attorney-General's proceedings firſt queſtioned.

Motion to ſend for warrants.

Reſiſted by D'Ewes.

"I did deſire," he ſays, "that we might "not ſend for the copies of any proceedings "which had been there printed againſt the ſaid "members of our Houſe. We were not "truly to take notice of ſuch, becauſe theſe

Speech by D'Ewes.

Explains privileges againſt arreſt.

" proceedings againſt our own members are
" firſt to begin in our own Houſe. For there
" is a double privilege we have in Parliament;
" the one final, the other temporary. Our
" final privilege extends to all civil cauſes, and
" ſuits in law: and this continues during the

Final, and temporary.

" Parliament. The other privilege, which is
" temporary, extends to all capital cauſes, as
" Treaſon or the like, in which the perſons
" and goods of the members of both Houſes
" are only freed from ſeizure till the Houſes
" be firſt ſatiſfied of their crimes, and ſo do
" deliver their bodies up to be committed to

Why ſuch diſtinction.

" ſafe cuſtody. And the reaſon of this is
" evident, becauſe their crime muſt either be
" committed within the ſame Houſes, or with-
" out them. As for example. If any mem-
" ber of the Houſe of Commons be accuſed
" for treaſonable actions or words, committed
" or ſpoken within the walls of the ſame
" Houſe, then there is a neceſſity that not only
" the matter of fact, but the matter of crime
" alſo, muſt be adjudged by that Houſe; for

When the Houſe to judge as to fact and penalty:

" it can appear to no other court what was
" there done, in reſpect that it were the higheſt
" treachery and breach of privilege for any
" member of that Houſe to witneſs or reveal
" what was done or ſpoken therein, without
" the leave and direction of the ſame Houſe.
" And if it be for treaſon committed out of
" the Houſe, yet ſtill the Houſe muſt be

"firſt ſatiſfied with the matter of fact, before they part with their members; for, elſe, all privilege of Parliament muſt, of neceſſity, be deſtroyed. For, by the ſame reaſon that they accuſe one of the ſaid members, they may accuſe forty or fifty upon imaginary and falſe treaſons, and ſo commit them to cuſtody and deprive the Houſe of their members. Whereas, on the contrary ſide, the Houſe of Commons hath ever been ſo juſt as to part with ſuch members when they have been diſcovered. As in the Parliament de A° 27° of Queen Elizabeth, Doctor Parry, being a member of the Houſe, was firſt delivered up by them to ſafe cuſtody, and afterwards arraigned and condemned of high treaſon, and executed for it. And ſo likewiſe in Mr. Coppley's caſe. In the Parliament in the laſt year of Queen Mary, he ſpake very dangerous words againſt the ſaid Queen; yet it was tried in the Houſe of Commons, as appears in the original journal-book of the ſame Houſe, and the ſaid Queen, at their intreaty, did afterwards remit it."

When as to fact only.

Otherwiſe Houſe might be thinned at pleaſure.

Yet members guilty to be ſurrendered.

Examples given.

Cries of "well moved," now rewarded the firm yet moderate reaſoning,* and the apt

"Well moved."

* Subſtantially this argument does not differ from that which Clarendon ſays he took occaſion to urge upon the Houſe in pointing out to them (*Hiſt.* ii. 139) that privilege of parliament did not run in caſes of treaſon, felony, or breach of the peace: but how is it that what was heard from D'Ewes?

Why applaud

conſtitutional learning, of the logical and well-read member for Sudbury: but theſe cries, grateful as he tells us they were to him, are to us the ſtill more valuable teſtimony of a fair and juſt temper in the Committee itſelf, upon a queſtion where Clarendon would have us believe the repeated aſſeverations he makes, that no man was for a moment liſtened to who attempted to explain what the law really was, or who aſſerted that a member of Parliament might have his reſponſibilities like any other citizen.

Fair and juſt temper of Committee.

No deſire to be irreſponſible.

and object to Hyde?

D'Ewes with ſuch approving cries, ſhould have been received from the lips of Hyde with, as he is anxious to have us believe, noiſe and clamour, with wonderful evidence of diſlike, and with ſome faint contradictions that no ſuch thing ought to be done whilſt a parliament was ſitting? (See ante, 212-16.)

Anſwer ſuggeſted.

The ſolution of this, as already I have ventured to ſuggeſt, appears to be that Hyde made no ſuch ſpeech; and that the aſſertion is a mere confuſion of his memory between what he did or did not ſay, and what he had afterwards felt that he might have ſaid. The charge he brings both in his Hiſtory and his Memoir, as though the Houſe claimed in theſe tranſactions to override both the judges and the law *itſelf*, is but another form of the doggrel Five Members' March, of which two or three out of the ſcore of ſtanzas may amuſe the reader.

Doggrel "Five Members' March."

"And let no wights henceforth preſume
To hold it rime or reaſon,
That judges ſhall determine what
Is Felony or Treaſon.

But what the Worthies ſay is ſo
Is Treaſon to award,
Albeit in Council only ſpoke
And at the Council-Board.

* * *

And for this Sea of Liberty,
Wherein we yet do ſwim,
Gramercy Kimbolton and Strode ſay I,
Haſelrig, Hollis, Hampden, Pym."

" But," proceeded D'Ewes, " for the caſe of D'Ewes
" theſe gentlemen that are now in queſtion, it reſumes.
" doth not yet appear to us whether it be for
" a crime done within the walls of the Houſe
" of Commons or without: ſo that, for aught
" we know, the whole judicature thereof muſt
" firſt paſs with us. For the Lords did make an
" Act Declaratory, in the Parliament Roll de
" A° 4° Ed. III. N° 6°, that the judgment of As to caſes
" Peers only did properly belong to them; ſo where Lords
" as I hold it ſomewhat clear that theſe gentle- join.
" men cannot be condemned, but by ſuch a
" judgment only as wherein the Lords may
" join with the Commons, and that muſt be
" by Bill. And the ſame privilege is to the Privileges
" members of the Lords' Houſe. For we claimed by both
" muſt not think that if a private perſon Houſes.
" ſhould come there and accuſe any of them
" of treaſon, that they will at all part with
" that member, or commit him to ſafe cuſtody,
" till the matter of fact be firſt proved before
" them. 'Tis true indeed, that, upon the Impeach-
" impeachment of the Houſe of Commons ment by Lower
" for Treaſon or any other Capital Crimes, Houſe:
" they do immediately commit their members
" to ſafe cuſtody: becauſe it is, firſt, admitted compels
" that we accuſe not till we are ſatiſfied in the ſurrender of the
" matter of fact; and, ſecondly, it is alſo perſon.
" ſuppoſed in law that ſuch an aggregate body
" as the Houſe of Commons is, will do Malice not
" nothing *ex livore vel ex odio*, ſeeing they are preſum-able.

" entruſted by the whole Commons of Eng-
" land with their eſtates and fortunes."

Concluſion by D'Ewes.

Sir Simonds cloſed his calm and temperate expoſition with a deciſive aſſertion of opinion. " So as upon the whole matter," he ſaid, " I " conclude that the proceedings againſt theſe " five gentlemen have been hitherto illegal; " and that we ought to demand ſafety for " their perſons to come and ſit amongſt us, " till their crime ſhall be proved before us."

Loud acclamation.

Then, as he reſumed his ſeat, he proceeds to tell us with pardonable complacency, " there " followed a loud acclamation of *Well moved*, " and Mr. Glyn ſpake after me, and ſaid that " I had abundantly and very well cleared this " point both with authority and reaſon."

Glyn's ſpeech:

But Glyn's ſpeech was remarkable for more than this. Some paſſages of it were hardly leſs ſolid and weighty than Grimſton's. Speaking from the queſtion of the Warrants to the general conſideration of breach of their privileges, he ſtruck more nearly and directly than Grimſton had done at the evil councillors, by whom miſunderſtandings had been for a long period aſſiduouſly raiſed and encouraged between his Majeſty and that Houſe. Theſe men, he ſaid, and ſuch as theſe, had been, and were ſtill, caſting aſperſions, and ſpreading abroad evil reports, not only of the members, but of the proceedings of the Houſe of Commons againſt them and others of their

aimed at ſuch counſels as Hyde's.

Private informers of the King.

favorites. For himſelf he would ſay that, of all breaches of the privileges of Parliament, none more grave could be committed than to inform his Majeſty of any proceedings in the Houſe of Commons, upon any buſineſs whatſoever, before they had concluded, finiſhed, and made ready the ſame, to preſent to his Majeſty for his royal aſſent thereunto. Further, he ſaid, it was in his view a breach of Parliamentary privilege to miſinform his Majeſty contrary to the proceedings in Parliament, thereby to incenſe and provoke him againſt the ſame. And to all men it was viſibly a moſt manifeſt breach of privilege, to come to the Commons Houſe ſitting in free conſultation, and there, aſſiſted and guarded with armed men, to demand as it were vi et armis any members ſingled out and accuſed, without the knowledge or conſent of that Houſe.

Spies in the Houſe.

Manifeſt breach of privilege.

Mr. Glyn had evidently, in the abſence of the member for Taviſtock, aſſumed in the Committee the place of leader to the popular party; and, quietly taking their places by his ſide, as of right entitled to claim the next rank to that which all ſeem at once to have conceded to Glyn's diſtinction as a lawyer and his poſition as member for Weſtminſter, we find, among the moſt active and influential, young Sir Harry Vane, Nathaniel Fiennes, Grimſton, Maynard, Alderman Pennington, Stapleton the member for Boroughbridge, and Wilde

Glyn has taken leaderſhip.

Chiefs under him.

the member for Worceſterſhire, who occupied the chair of the Committee more frequently than any other member.

D'Ewes's argument on privilege.

Glyn had ſpoken truly in the compliment he offered to the learning and diſcrimination of the member for Sudbury. D'Ewes had argued the matter of privilege, taking the King's proceeding as the baſis or ſtarting point, upon incontrovertible grounds. He had anticipated and repelled the falſe inſinuations of Clarendon, and now, covered by Glyn's authority againſt ſuch further objections as were made, he carried the committee with him to a poſition from which their right to reſiſt was unaſſailable. Without minutely diſcuſſing a queſtion which can no longer, with our ſettled and aſcertained rules of procedure, be viewed exactly as it preſented itſelf in thoſe days, it is clear that the mere breach of privilege, groſs as it was, was not the King's worſt offence on that miſerable day. Whatever, aſſuming that a caſe exiſted on which to take proceedings at all, the form of thoſe proceedings ſhould ſtrictly have been, whether by impeachment of the Commons themſelves, or by indictment preferred to a grand jury, the method taken by the King leaves quite immaterial. When Clarendon aſſerts that "if the "judges had been compelled to deliver their "opinions in point of law, which they ought "to have been, they could not have avoided

A firm poſition.

More than one queſtion at iſſue.

Clarendon's evaſion.

"the declaring, that by the known law, which "had been confeſſed in all times and ages, no "privilege of Parliament could extend in the "caſe of treaſon," * he knows perfectly well that he is not raiſing the real iſſue.† There were a dozen violations of the known and ſettled law to be dealt with, before that could even come to be conſidered. Each ſtep had been an outrage. Hyde was too good a lawyer not to be perfectly aware, that, ſo far from the King's having anything like the power he had aſſumed to exerciſe in this caſe, even an ordinary magiſtrate or juſtice of peace had a power ſuperior to the ſovereign's. The King was in

Not one but many breaches of law.

King powerleſs to arreſt.

* *Hiſt.* ii. 193.

† I find remarkable evidence, in a letter written the morning after the King's attempt, of how clearly, in oppoſition to all theſe falſe ſtatements and reaſonings of Clarendon, the nature of the outrage which had been committed was diſcriminated by impartial byſtanders, and how accurate and unexaggerated was the meaſure taken of the breach of privilege involved. Mr. Thomas Smith writes from York Houſe (built for Buckingham when Lord-Admiral, and ſince occupied by holders of that high office), on the 5th January, to his "true friend" Admiral Pennington. "Since the im- "peachm[t] and-ſending of the Bpps. to the Tower, His "Ma[tie] hath ſent y[e] Attourney Gen[le] to y[e] Upper Houſe to "accuſe my Lo. Mandeville, Mr. Pym, Mr. Hollis, Mr. "Strode, Mr. Hampden, and Sir Arthur Haſlerig, to bee "guilty of High Treaſon. This was don on the 3[d] of "January. The Houſes are much diſpleaſed at this manner of "proceeding becauſe, ſay they, Kings ought not to be the "accuſers of their ſubjects; and they complaine that in y[e] "manner of managing this buſineſſe y[e] King hath done "many things tending to breach of Priviledge. As Sealing "up their ſtudies, w[ch] y[e] Parliam[t] hath opened againe, and "impriſoned thoſe y[t] ſealed them. [And ſending] his Sergeants "into the Houſe of Commons to attack y[e] perſons of ſome "who are ſuppoſed to be delinquents, &c. The Lords gave "anſwer that if a Parliamentary Charge were given in againſt "thoſe Delinquents, they would be Committed to cuſtody, but "till y[n] they would not. The Kynge, offended that they were

Juſt opinions as to arreſt.

Smith to Pennington: 5th January.

King not to accuſe Subjects.

Each ſtep an outrage.

reality powerleſs. He could not draw up the impeachment. He could not carry it to the Lords by his Attorney. He could not ſerve it in the Commons by his Serjeant-at-arms. He could not in perſon arreſt under it. And for the manifeſt reaſon that, preſuming a wrong to be done by ſuch means, the ſubject would be left without a remedy. "A ſubject," ſaid Chief Juſtice Markham to Edward IV,* "may "arreſt for treaſon; the King cannot; for, "if the arreſt be illegal, the party has no "remedy againſt the King."

Subject may do what King cannot.

Shame of Attorney-General.

So ſtrongly did the Attorney General, indeed, afterwards feel the humiliation in which conſiderations of this kind involved him, that upon the proceedings ſubſequently taken againſt him, he requeſted the Lord Keeper to intereſt himſelf with one of his friends who ſat in the lower Houſe for Nottingham, Mr. Francis Pierpoint, third ſon of Lord Kingſton, to offer an apology for his breach of the law. This curious paſſage, alſo revealed to us by D'Ewes, has already been quoted in a note†; but it ſeems impoſſible to underſtand, if

Makes apology through a friend.

"not reſtrayned, came the next day himſelf in perſon well "guarded into ye Commons' Houſe (a thing never heard of "before) to demand y^r^ p̄ſons; but they were at that tyme "abſent, and do ſtill abſent themſelves. The King much "diſpleaſed departed, and is this day gone himſelfe into "London to have y^m^ p̄claimed Traytors. Theſe violent "proceedings of the King's give much diſcontent everywhere, "and we are daily in feare of uproares; yet all care is taken "to prevent miſchiefe."

Diſcontent with the King.

* Quoted by Lord Macaulay in his *Eſſays*, i. 67.

† *Ante*, 128. My late extracts from the D'Ewes Journal will be found in *Harl. MSS.* 162, ff. 308 a and b, and 309 a and b.

Herbert really felt the "trouble" of mind alleged, and ſaw before him ſo clearly the conſequences of his act, how an officer of ſo much experience ſhould have ſuffered himſelf to be overborne in a matter where he was certain himſelf to be the firſt victim. One is rather diſpoſed to conclude with Mr. Strode, in the pregnant remark he threw out on the occaſion of Pierpoint's interceſſion, that he believed Mr. Attorney did not only contrive the ſame, but knew of the deſign itſelf alſo; for he was a man of great parts, and well ſkilled in ſtate matters. The incredulity was at leaſt pardonable.

Apology not believed.

Mr. Strode's remark thereon.

But we left the debate of the 6th of January before it cloſed, amid the cries of approval which followed the ſpeeches of D'Ewes and Glyn. Divers, D'Ewes proceeds to tell us, afterwards ſpoke reſpecting the warrants which purported to have been iſſued out under the King's hand, and no one ventured to aſſert their legality. The ſpeeches all went to one reſult. That ſuch warrants could not be good: that the ſovereign was himſelf a party againſt all capital offenders: that, being entitled on conviction to have their lands and goods, he could therefore be neither judge nor accuſer in their trial: that his warrants were to be iſſued forth by his miniſters, who were by the law appointed thereunto: "with much "other matter to that effect."

Debate as to warrants continued.

Sound principles ſtated.

No difference of opinion.

A characteriſtic incident then occurred, which

Diſpute of D'Ewes with Wilde.

further ſhows how clearly D'Ewes kept before himſelf, and how ſteadily before the Committee, the point it moſt behoved them to reſt their caſe upon. Mr. Serjeant Wilde, ſpeaking from the Chair, and taking advantage of exciting expreſſions thrown out in diſcuſſing theſe warrants of the King, would have had the Committee affirm that the mere charge of treaſon in the abſtract, no matter how inſtituted, was, as againſt a member of the Houſe of Commons, a breach of privilege; but the member for Sudbury wiſely ſubſtituted a reſolution againſt the mode of inſtituting ſuch a charge which lately had been taken, and denouncing the iſſue of any additional warrants, as not only a violation of the privilege of parliament, but a breach of the liberty of the ſubject: and this the Committee adopted. The wiſdom of ſuch a courſe was manifeſt. Even ſuppoſing that the view could be ſupported, of a right in the Lords to entertain the accuſation of treaſon at the inſtance of the Attorney-General, it was the Lords, and not the King, who ſhould have iſſued the warrants: and D'Ewes was right to continue to fix the attention of the Committee upon the *mode* of procedure. Had the very right itſelf exiſted, the method would have turned it into wrong. "At length," he ſays, "Mr. "Serjeant Wilde propounded a queſtion to be "put concerning the arreſting of Mr. Denzil "Hollis, or any of the other four members

Wrong iſſue ſuggeſted.

Corrected by D'Ewes.

Lords to iſſue warrants.

How to make a right thing wrong.

" accuſed of high treaſon, that it was a breach D'Ewes's victory over Wilde.
" of privilege: but I moved that the firſt
" queſtion might be put touching the iſſuing
" forth of any freſh warrants; that the ſame
" was a breach of the liberty of the ſubject,
" and a violation of the privilege of Parlia-
" ment: which motion of mine was approved Good ſenſe of Committee.
" by the Committee, and the ſame was reſolved
" upon the queſtion, and ordered by the Com-
" mittee accordingly."

There was no further objection to the reſo- Reſolutions voted.
lutions ſubmitted. " We proceeded," ſays
D'Ewes, " to vote it a breach of privilege of
" Parliament, and of the liberty of the ſubject,
" for any perſon to arreſt any of the ſaid
" members by colour of ſuch warrants; and Againſt warrants.
" we declared them public enemies of the
" Commonwealth. It was alſo further reſolved
" upon the queſtion, and ordered by the Com-
" mittee, that to arreſt any member of either Againſt perſons arreſting under them.
" Houſe without conſent of that Houſe whereof
" ſuch perſon was a member, was againſt the
" liberty of the ſubject, and a breach of the
" privilege of Parliament, and that any perſon
" who ſhould ſo arreſt ſuch member ſhould be
" declared a public enemy of the Common-
" wealth. Which votes being put and ordered,
" it was moved that a ſub-Committee might
" be appointed to go out, and to draw out a
" Declaration to this purpoſe."

Then roſe the younger Sir Henry Vane Young Vane riſes:

Offers wiſe ſuggeſtion. with a propoſition, as the ſequel to what the learned member ſkilled in precedents had ſo well moved, which he offered to the Committee as very neceſſary to be included in the Declaration, and which was eminently characteriſtic of his own ſenſe of juſtice. "He did "move," ſays D'Ewes, "that we might make "ſome ſhort declaration that we did not intend Guard againſt claiming privilege for crime. "to protect theſe five gentlemen, or any other "member of our Houſe, in any crime; but "ſhould be moſt ready to bring them to con-"dign puniſhment, if they ſhould be proceeded "againſt in a legal way." The Committee aſſented; and young Vane, Glyn, Grimſton, Sub-Committee to draw proviſo. Nathaniel Fiennes, and Sir Philip Stapleton, having been named as the ſub-Committee to draw the declaration, left the chamber for that purpoſe. While they were abſent, "I departed," ſays D'Ewes, "from the Committee, between "two and three of the clock in the afternoon; "but the Declaration was afterwards brought Vane's clauſe voted and printed. "in by the ſaid Committee, and allowed and "voted by the Committee, and printed." He adds, that as the Common Council required the Guildhall Chamber for City uſes, and it Adjourn to Grocers' Hall. was moreover in itſelf ſomewhat inconvenient, the Committee adjourned itſelf to meet next morning in Grocers' Hall.

§ XXXII. Facts and Fictions.

The elaborate particularity with which the

good Sir Simonds D'Ewes thus records in detail the proceedings of the Select Committee of the Commons, seems as though specially provided for refutation of the studied misrepresentations and disingenuous artifices of Clarendon. Speaking generally of the proceedings of the Committee described in the foregoing section, that writer deliberately states: 1. That all the resolutions voted were in support of, and simple corollaries from, the broad and unrestricted assertion, "that "the arresting, or endeavouring to arrest, any "member of Parliament, was a high breach "of their privilege." 2. That the House itself held short sittings, concurrently with the sittings of the Committee, for the mere purpose of confirming the votes so passed. 3. That when the votes in question were proposed for confirmation, he (Mr. Hyde) took part in the debate, and was received with noise and clamour, and with wonderful evidence of dislike, merely for stating what was a known truth to any one who knew anything of the law, namely, that where persons were arrested for treason, or felony, or breach of the peace, there could be no privilege of Parliament. And, 4. That after this debate "the House "confirmed all that the Committee had voted, "and then adjourned again for some days, and "ordered the Committee to meet again in the "City. . . . the House itself meeting and

Clarendon fictions.

Alleged restriction of votes.

Concurrent sittings of House.

Hyde's asserted speech.

Pretended references to House itself.

Houſe confirming votes of Committee.

" ſitting only to confirm the votes which were " paſſed by the Committee, and to proſecute " ſuch matters as were by concert brought to " them, by petition from the City, which was " ready to advance anything they were directed:

All done during Five Members' abſence.

" and ſo, while the members yet kept themſelves concealed, many particulars of great " importance were tranſacted in thoſe ſhort " ſittings of the Houſe. * "

Reply.

To which elaborate miſſtatement, the reply which D'Ewes enables us to make is very ſimple. It is: 1. That the votes of the Committee diſtinctly limited and defined the breach of privilege as conſiſting, not in the accuſation or the arreſt, but in the means and proceſs employed therein, whereby the law of the land and the liberty of the ſubject, not leſs than the privileges of Parliament, were violated. 2. That the Houſe held no ſuch ſittings, the Committee having in the firſt inſtance received full powers, and exerciſing an entire juriſdiction over the matters referred to them. 3. That it is therefore impoſſible that Mr. Hyde can have addreſſed the Houſe; that there is no evidence of his having ever attended the Committee;† and that, aſſuming him nevertheleſs to have ſpoken at the Committee as alleged, what we have ſeen of their reception of D'Ewes's temperate ſpeech renders it extremely improbable

Votes not ſo reſtricted.

Houſe itſelf not ſitting.

Hyde not ſpeaking.

* *Hiſt.* ii. 138-140.

† See *ante*; 212-216.

that Mr. Hyde's very innocent remark ſhould have been hooted down. And 4. That there was only one adjournment of the Houſe between the 5th and the 11th January, 1641-2; and that there were no ſhort ſittings whatever while the Five Members yet kept themſelves concealed. Even if D'Ewes had not revealed this, the evidence of the Commons' Journals would have been deciſive. They are a total blank between the two days named.

No ſhort ſittings.

Journals ſupport D'Ewes.

Happily, too, the Declaration remains, which embodied the conſtitutional ſuggeſtions of D'Ewes and the manly propoſition of Vane; and it needs but to quote a few of its noble ſentences to diſſipate theſe fictions of Clarendon. After ſtating the high breach committed againſt the rights and privileges of Parliament, and the liberties and freedom thereof, by the King's attempt to arreſt the members, it proceeded:

Evidence of publiſhed Declaration.

"And whereas his Majeſty did iſſue forth "ſeveral warrants, under his own hand, for the "apprehenſion of the perſons of the ſaid mem- "bers, which by law he cannot do; there being "not all this time any legal charge or accuſa- "tion, or due proceſs of law, iſſued againſt "them, nor any pretence of charge made "known to the Houſe; all which are againſt "the fundamental liberties of the ſubject, and "the rights of Parliament: whereupon, we "are neceſſitated according to our duty to "declare, and we do hereby declare, that any

As to warrants:

King powerleſs to iſſue them.

As to arreſt:

King diſabled from effecting it.

As to claim of privilege:

not deſired to bar a juſt charge.

Readineſs to bring guilty to trial.

" perſon that ſhall arreſt Mr. Hollis, Sir " Arthur Haſelrig, Mr. Pym, Mr. Hampden, " and Mr. Strode, or any of them, by pre- " tence or colour of any warrant iſſuing out " from the King only, is guilty of a breach of " the liberties of the ſubject, and of the " privileges of Parliament, and a public enemy " to the Commonwealth .... Notwithſtanding " all which, we think fit further to declare, that " we are ſo far from any endeavour to protect " any of our members that ſhall be in due " manner proſecuted (according to the laws of " the kingdom, and the rights and privileges " of Parliament) for treaſon, or any other miſ- " demeanor, that none ſhall be more ready " and willing than we ourſelves to bring them " to a ſpeedy and due trial: being ſenſible " that it equally imports us, as well to ſee " juſtice done againſt them that are criminal, " as to defend the juſt rights and liberties of " the ſubjects and Parliament of England."

§ XXXIII. Agitation in the City.

Thurſday night, 6th January.

The Declaration of the Commons on the Breach of their Privilege was printed and in circulation in the City, on the night of that firſt meeting at Guildhall. Agitation and excitement had continued to increaſe out of doors. Clarendon is no mean or incredible witneſs where his paſſions or intereſt do not deceive or miſlead him to perverſion of the truth,

and he ſays that it cannot be expreſſed how great a change there appeared to be in the countenance and minds of all ſorts of people, upon thoſe late proceedings of the King.* The ſhops of the City, while the members remained therein, were generally ſhut up, as if an enemy were at their gates ready to enter and to plunder them; the people in all places, he adds, were at a gaze, as if, diſpoſed to any undertaking, they looked only for directions; and the wildeſt reports were ſpeedily accepted and believed. D'Ewes for once confirms Clarendon. On this Thurſday night, he tells us in a note appended to his Journal of the 6th January, the watch at

A change in the people.

Diſpoſed to any undertaking.

* The paſſage is curious and valuable, though in its aim and object the reverſe of candid. "It cannot be expreſſed," he ſays (*Hiſt.* ii. 159), "how great a change there appeared "to be in the countenance and minds of all ſorts of people, "in town and country, upon theſe late proceedings of the "King." He aſſerts (with what likelihood I have attempted to ſhow in my Eſſay on the Great Remonſtrance) that the popular leaders had of late been loſing their ſpirits, ſo that ſome of them were even reſuming their old reſolutions of leaving the kingdom; but that "now again they recovered greater "courage than ever, and quickly found that their credit and "reputation was as great as ever it had been: the Court being "reduced to a lower condition, and to more diſeſteem and "neglect, than ever it had undergone. All that they had "formerly ſaid of plots and conſpiracies againſt the Parliament, which had before been laughed at, were now thought "true and real; and all their fears and jealouſies looked upon "as the effects of their great wiſdom and forethought. All "that had been whiſpered of Ireland was now talked aloud "and printed; as all other ſeditious pamphlets and libels "were." Theſe remarks are ſo coloured as to give a falſe expreſſion to the facts they embody, but the facts themſelves are confirmed by what already has been quoted from private letters.

Evidence of Clarendon.

Tribunes exalted.

Court reduced.

All ſlanders believed.

Sudden alarm at Ludgate.

Ludgate was alarmed ſuddenly, between 9 and 10 o'clock, by information that the ſame band of deſperadoes who had accompanied the King to the Houſe on Tueſday, had a ſimilar deſign to be executed in the City that night. The news ſpread ſimultaneouſly from ſeveral quarters, and the reported plan was that of an attack upon the houſe in Coleman Street, where the accuſed members were. The rumour had in all probability ariſen from ſome oozing out of the project of Digby, as to which Clarendon, in the character he has left of that reckleſs perſonage* in the ſupplement to the third volume of his State Papers, gives us the particular information, that it was conceived immediately upon the Citizens declaring abſolutely for the members, and rejecting, as they had done the day before this to which D'Ewes refers, the King's perſonal overtures for aſſiſtance. Further he tells us, as we have ſeen, that Digby counted upon a ſelect number of a dozen Gentlemen, who he preſumed would ſtick to him (his friend Lunſford was one†), to help him out with this project, by ſeizing on the Five Members dead or alive; and he pro-

Threatened attack on Coleman Street.

The Digby plot.

Lunſford in it.

* *State Papers*, iii. lv. lvi. See *ante*, 205.

Speech of Stapleton.

† Stapleton made rather a good ſpeech when the Digby plot, and Lunſford's connection with it, became notorious the week after the preſent; deſcribing Lunſford, "this "Colonel" as he calls him, not content, under the influence of the King's unmerited favour, "but imitating the water-toad, "and, ſeeing the ſhadow of a horſe ſeem bigger than itſelf, "ſwelling itſelf ſtraightway to rival the ſame, and ſo burſting."

Lunſford's bragging.

teſts that without doubt he would have done it, and that it muſt have had a wonderful effect. A wonderful effect, even the rumour of it appears to have had.

The City and the ſuburbs, ſays D'Ewes, were almoſt wholly raiſed, ſo that within little more than an hour's ſpace there were forty thouſand men in complete arms, and near a hundred thouſand more that had halberds, ſwords, clubs, and the like. Such was the military organiſation of the City Train Bands in thoſe days. Notwithſtanding this, however, the panic ran its courſe, as it is in the nature of all panics to do. "Yet," D'Ewes tells us, in a ſentence which exhibits not a little of the nervous derangement it commemorates, "the "general cry of the City, *Arm! Arm!* was "with ſo much vehemency, and knocking at "men's doors was with ſo much violence, "that ſome women being with child were "ſo much affrighted therewith that they "miſcarried." However, the Lord Mayor played his part of *pater patriæ* within the City walls with all neceſſary promptitude and vigour, and put a timely check to theſe domeſtic inconveniences. He had tried, but vainly, to prevent the Trained Bands from getting under arms; but he afterwards ſent to Whitehall, and, in every direction where authentic intelligence was procurable, he diſperſed it on all ſides in place of the exaggerated rumours

The City in arms.

140,000 men with weapons.

Panic continues.

Women in terror.

Exertions of Lord Mayor.

Streets cleared.

flying about; and he took finally ſuch ſkilful meaſures for clearance of the ſtreets, that in little more than an hour from his firſt interference, the City was again quiet, and "every "man retired to his houſe." Two days later, he was ſpecially thanked by an order of the Council Board, at which the King was preſent and the new Miniſters of State; and at which demand was made, under their hands, for delivery up of the names of the perſons who had "importuned "him to put the Trained Bands in arms."* Yet

City again quiet.

Thanks of Council to Lord Mayor.

Order from Council, Saturday 8th Jan.

Members for City odious to Court.

Swearing in of Falkland.

Notices tumult of Thurſday.

The authors muſt be puniſhed.

* A copy of this Order from the Council-Board addreſſed to the "Lord Mayor &c. of London," and dated Saturday the 8th, exiſts in the State Paper Office, and furniſhes remarkable evidence of the tone and ſpirit which muſt have animated the Council in diſcuſſing the incidents of the preceding Thurſday, the 6th of January. It is to be borne in mind, in reading it, that the members for the City were notoriouſly thoſe who had overruled the Lord Mayor as to the aſſembling of the Trained Bands, and that the Committee of the Commons, ſitting in the City, held the ſtep to have been eſſential to the ſafety of the citizens. The inſertions within brackets are in the handwriting of Nicholas; and the intimations with which the Order concludes as to the ſwearing in of Lord Falkland at the Board that day, may perhaps be taken as an evidence of Nicholas's anxiety that the fact ſhould be known in the City, and his own reſponſibility ſo far lightened by participation with one ſo recently engaged and truſted on the popular ſide in the Houſe of Commons. "Hearty commendations to your L^ps and "the reſt. Whereas the King's Ma^y hath taken notice of a "great diſorder & tumult within the Cittie of London & "Liberties thereof where many thouſands of men as well of "the Trayned Bands as others were in armes on Thurſday "night laſt [without any lawfull authority, as his Ma^y is "informed] to the great diſturbance & affrightm^t of all the "inhabitants: for which neither his Matie, nor this Board, doth "[find] believe any cauſe given at all, nor the leaſt danger to "have been intended to the ſaid Citty, or inhabitants thereof, "by any perſon whatever. W^ch being of ſo dangerous conſe-"quence, as the ſame may no way be connived at: but is "moſt requiſite that the authors of the alarme be enquired "after, exam^d, and puniſhed according to Law: that others

the right ſo challenged had never until now been queſtioned; and the time appropriately ſelected for this note of defiance, was when bands of armed men were being organiſed, as well by the King as by his followers, without any warrant from the law. D'Ewes concludes the very note I have quoted, by ſaying that the alarm in the City had been greatly increaſed by the circumſtance of a troop of horſe, raiſed by a Royaliſt Squire of Eſſex, having been billeted at Barnet, and reported, "upon what miſinformation

Ill-timed defiance.

Troop raiſed by Royaliſt Squire.

"may both hereafter be deterred from the like ſeditious "attempts, & his Matie good ſubjects better ſecured in the "peaceable quiet & enjoying of what is theirs. And whereas "his Matie hath been informed that before the alarme, certaine "perſons were earneſt wth yor Lo^p to put the Trayned Bands "of the Cittie in armes; wch you refuſing to doe becauſe [you "ſaid] you knew no cauſe of feare, yet the ſame was after- "wards done without yor commands & ag^t yor will [and "without any authority]. His Maje^y, having duly conſidered "of the premiſſes, hath thought fitt by advice of this Board "hereby to pray and require you, together with y^r Brethren "the Aldermen and the Recorder of the ſaid Cittie, forthwith "to meete & to uſe all diligence for the enquiring and finding "out, by what meanes and by whoſe endeav^r ſoe great a "diſorder did happen; who were the authors of the alarme "[by what & whoſe order the trayned bands were raiſed] "and upon what pretexte; and ſuch as you ſhall diſcover to "be guilty of this ſo great offence, that you take a fitting "courſe that they may be forthcoming: and further that you "certifie this Board with ſpeed of yor proceedings therein, "and what you finde [as alſo the names of thoſe who at firſt "importuned you to put the Trayned Bands in armes]. To "the end ſome further courſe may thereupon be directed for "ſettling the peace & quietneſſe of the Citty, & for "puniſhm^t of the offenders according to the Laws & Statutes "of the Realme. Wherein not doubting of y^r care, we bid "you very heartily farewell. From Whytehall the 8 of "January 1641. Y^r very loving friends.—This day, his "Ma^ty preſent in Counſell, and by his royall comand, the "Viſc^t Faulkland was ſworne one of H. M. principal "Secretaries of State."

Certain perſons (M.P.s) over earneſt.

Find out authors of alarm.

Give up their names.

Muſt be puniſhed.

" I know not, to be but the fore-runners of " five hundred horſe that were laſt night to " come into the City of London."

Tendency to undue fears.

The univerſal tendency of communities and bodies of men to undue and exaggerated fears is well underſtood, and the preſent naturalneſs of ſuch ſudden fears and panics has been ſhown; nor was the character of the diſcloſures made at the reaſſembling of the Committee at Grocers' Hall the next morning, of a kind to diſcontinue or abate them.

§ XXXIV. First Sitting at Grocers' Hall.

Friday, 7th Jan.

'On the day of the firſt ſitting at Grocers' Hall, Friday the 7th, it had been appointed to take evidence as to the circumſtances of the King's attempt of the previous Tueſday, and the character and conduct of the armed men who accompanied him. " The " buſineſs was entered into," ſays D'Ewes, " before I came in, and divers witneſſes were " examined in my hearing." Of the ſtatements made by thoſe witneſſes he proceeds to give an abſtract, confirming in all material points the account already given, and ſupplying ſome additional particulars not without intereſt.

Witneſſes as to outrage of the 4th.

Abſtract of their evidence.

It ſeems certain, from the great maſs of the evidence adduced, and ſupported even by witneſſes oppoſed to the majority in the Com-

mons, that, while the King was in the Houſe, a word or ſignal was expected to be given. It was diſtinctly depoſed by ſeveral, that, when his Majeſty was coming out of the Houſe, divers officers of the late army in the North "and other deſperate ruffians" called out for the word, but, when they ſaw no word given, they "bade make a lane and ſo de- "parted." One of the witneſſes, a Captain Ogle, depoſed that while ſpeaking, on the morning after the attempt, with one of the officers who came with the King, this perſon did not ſcruple to avow that he and others accompanied his Majeſty to be his guard in conſequence of having heard that the Houſe of Commons would not obey the King, and that therefore it was neceſſary to force them to it. "And "he believed that if, in the poſture that they "were ſet, the word had been given, they "ſhould certainly have fallen upon the Houſe "of Commons." Another witneſs ſwore to having heard "one of the deſperadoes" cry out, as he held up his piſtol ready cocked, "I will "warrant you I am a good markſman, I will "hit ſure." Another, Mr. John Chambers, depoſed to the forcible keeping open of the Commons' door; to the violence uſed againſt the ſervants of members of the Houſe; to the firearms with which the King's party had come prepared; and to the interchange of queſtions he had overheard among them, as to what might

Concerted plan.

Signal to be given.

Diſappointment.

Neceſſity of forcing Commons to obey King.

Only the ſignal wanting.

Forcibly keeping open door of Houſe.

Counting numbers. be the exact number of members muſtered in the Houſe that day. A ſimilar piece of evidence muſt be given in the words of D'Ewes: "That when the King entered the Houſe, and "it appeared that neither Mr. Pym, nor any "of the other four were there, one of theſe Ingenuous confeſſion. "bloody ruffians ſaid 'Zounds! there are "'none of them here, and we are never the "'better for our coming!'"

An important witneſs. The moſt notable piece of evidence, however, was given by Captain Hercule Langres, who played ſo important a part on the memorable day; and D'Ewes enables us firſt to publiſh it. Dwelling in Covent Garden, he ſaid, he At White-hall the previous Friday. had occaſion to be in Whitehall on the laſt day of December, the Friday preceding the King's endeavour to arreſt the members. That he What Lieut. Jenkin ſaid. there underſtood from Lieutenant Jenkin, who had command of a company of the Trained Bands at Whitehall, that he was then under orders to obey one Sir William Fleming. That he was with that officer again on the following Again at Whitehall on the 4th. Tueſday, having heard from a noble gentleman who wiſhed well to this nation (doubtleſs the French ambaſſador, Montreuil) of the deſign Previous intelligence of King's deſign. of the King's going to the Houſe to be, to take out thoſe five members by violence which were accuſed of treaſon, if he found them there. That, ſeeing his Majeſty was to be accompanied to that end with divers officers and ſoldiers armed with halberds, ſwords, and

piſtols, among whom were divers Frenchmen, namely Monſieur Fleury and others, he paſſed through the roof, got to the Houſe of Commons before his Majeſty could come, and acquainted Mr. Nathaniel Fiennes therewith. Further, that the ſaid Monſieur Fleury had told him, as long ago as ſome three weeks, that there would be troubles ſhortly here in England, that he had gueſſed ſo before, but that now he was ſure of it.

Paſſes over roof to eſcape crowds.

Knew of coming trouble three weeks ago.

After this evidence had been taken, D'Ewes himſelf roſe to ſtate to the Committee the impreſſion it had produced upon him, and to ſuggeſt a reſolution in accordance therewith. "I moved," he ſays, "that ſeeing we had all "the material paſſages of this deſign proved "unto us by ſeveral witneſſes, I was in mine "own conſcience fully ſatiſfied, that if God had "not in a wonderful manner prevented it by "the abſence of thoſe our five members, we "had been all in very great danger of having "been deſtroyed. And therefore I did deſire "that we might reſolve the ſame upon the "queſtion. Others ſeconded me; and after "a pretty while, the queſtion enſuing was "agreed upon. That the coming of the "ſoldiers to the Houſe of Commons with his "Majeſty, on Tueſday laſt, was a deſign to "take ſome members out of the ſaid Houſe, "and, in caſe they ſhould find any oppoſition "or denial, then to fall in an hoſtile manner

Impreſſion made on D'Ewes.

Satiſfied as to purpoſe aimed at.

To find excuſe for armed conflict with Houſe.

Moves and carries vote to that effect.

" upon the Houſe of Commons; which was a " traitorous deſign againſt the King and Parlia- " ment."

Sheriffs of London in attend-ance.

Meanwhile Serjeant Wilde, reviving the queſtion on which D'Ewes had outvoted him on the previous day, had ſucceeded in obtaining orders from the Committee for the attendance of the two Sheriffs of London, with the warrants they had received under the hand of the King for the apprehenſion of the five members; and now their arrival was announced. They were called in, and aſked by Mr. Serjeant Wilde whether they had brought with them the warrants. Sheriff Garrett, who had entertained the King two days before, and whoſe ſympathies were with the popular party, anſwered that he had; the other declined to anſwer, on the ground that the duty of his place enjoined ſecrecy.

Aſked as to warrants.

One re-plies, the other refuſes.

At this point D'Ewes interpoſed, and upon his motion the Sheriffs withdrew. Serjeant Wilde then ſtarted up, from the Chair, to aſk whether the Committee did not mean to require them to deliver in the warrants: to which ſome having cried Aye, and more No, D'Ewes took upon himſelf bluntly to inform the Committee that the queſtion would not be determined by their confuſed crying Aye and No, but by their conſideration and debate what courſe was beſt to be taken. Suppoſe the Sheriffs *did* deliver up the warrants upon demand, what did they

Difference between Wilde and D'Ewes.

Don't ſhout "aye" or "no," but reflect and conſider.

propoſe to do with them? Unleſs they intended to keep them, they were better not to demand them; and, as the caſe then ſtood, it was his clear opinion that they ſhould not keep them, and therefore not demand them. Becauſe, he proceeded to argue (with that guarded moderation of tone in reference to the King, and that deſire to avoid any perſonal queſtioning of his prerogatives, by which the teſtimony he has juſt borne to the character of the attempt of the 4th of January is rendered greatly more valuable), though his Majeſty, *being miſled by evil counſel*, had in many particulars violated their privileges, yet they ſtill owed him ſo much reſpect as not to aſſume authority to take from his miniſters, to whom he had ſent them, even theſe manifeſtly illegal warrants. "Neither do I doubt," he continued, with a touch of the humour wherewith he occaſionally relieved the grave preciſion of his oratory, "but they ſhall ſleep "as quietly in the Sheriffs' hands as in our "cuſtody, *who, I believe, intend to make but* "*little uſe of them.* And indeed the City of "London in general, and thoſe gentlemen in "particular have deſerved ſo well of us, as I "deſire not that we ſhould put them upon "that ſtrait as either to offend his Majeſty, or "diſobey us. One of them, you ſee, pretends "ſecrecy, and the other would gladly be ex-"cuſed; and therefore I deſire that they may

Againſt calling in warrants.

Diſcreet tone as to the King.

Reſpect ſtill due.

Touch of humour.

An ill choice.

Call in the Sheriffs and diſmiſs them.

" be called in, and be informed of the good " opinion we have of them, and ſo be diſ- " miſſed. Some," D'Ewes adds, " ſeconded " me, and others ſpake contrary; but it was " overruled that they ſhould be called in and

Suggeſtion adopted.

" diſmiſſed, as I had moved: which was done " accordingly."

Motion that Five Members attend Committee.

The next reſolution, however, moved in diſcharge of a duty which the circumſtances unavoidably forced upon them, was in effect a direct challenge to the ſovereign. It was that the five members accuſed might and ought to come to attend that Committee, notwithſtanding any warrant iſſued out, or other matter or accuſation, againſt them. It was oppoſed by ſome very ſtrongly, and the diſcuſſion was ſtill proceeding, when, at 4 o'clock, D'Ewes quitted Grocers' Hall. His

Diſliked by D'Ewes.

opinion was, that this open defiance ſhould not have been reſorted to, until a direct demand for ſafety to the perſons of the accuſed ſhould have been refuſed by the King; and apparently he wiſhed to avoid ſupporting a reſolution which yet he could not conſcientiouſly have oppoſed.

Carried.

It was carried, and the members invited to attend Grocers' Hall publicly on the following Monday.

King meets the challenge.

The King meanwhile had met, more than half way, the challenge of the Commons, and early on the morning following this vote, the very day when Falkland received the ſeals,

there came forth a freſh Proclamation, reiterating againſt the Five Members the accuſation of High Treaſon, and commanding all magiſtrates and officers to ſeize and convey them to the Tower. A letter from the Council Board alſo reached the Chief Magiſtrate, of which the object was to make the City members reſponſible for meaſures taken by them on the night of the alarm to protect the Citizens. It was impoſſible but that the courſe thus adopted ſhould precipitate every danger, weaken what chances were left to Charles the Firſt, and give unexpected opportunities and power to his antagoniſts.

Freſh proclamation againſt accuſed.

Unwiſe courſe.

§ XXXV. Second Sitting at Grocers' Hall.

Within one hour after appearance of the King's proclamation on Saturday the 8th of January, commanding all loyal men throughout the kingdom to apprehend the Five Members of the Commons whom he had accuſed of treaſon, the Committee of the Commons had aſſembled in Grocers' Hall; and, after renewing the order for the public appearance of the accuſed members on Monday, preparatory to the return to Weſtminſter on the following day, they paſſed two reſolutions. The firſt: that a printed paper in the form of a proclamation iſſued out for the apprehending five gentlemen, members of the Houſe of Commons,

Saturday, 8th January.

Reply of the Houſe to King's proclamation.

Open defiance of the Sovereign.

was falſe, ſcandalous, and illegal. The ſecond: that all acts of the Citizens of London, or of any other perſon whatſoever, for the defence of the Parliament and the privileges thereof, or the preſervation of the ſame, were according to their duty, and the late proteſtation, and the laws of the kingdom, and that if any perſon ſhould arreſt or trouble them for ſo doing, he was declared an enemy of the Commonwealth. Then were tidings brought, while theſe votes were in progreſs, of a ſhip from Berwick laden with arms having neared the Tower; and this led to the moſt important ſtep yet taken by the Committee. Sir John Byron, Lieutenant of the Tower, and Captain Coningſley, Lieutenant of the Ordnance, having been ſummoned and examined, it was reſolved that meaſures ſhould be adopted with all diſpatch for the ſetting of a Guard upon that great fortreſs (the only ſecurity in thoſe days for even the ſanctity of commercial dealings),*

Alarming news.

Step taken thereon.

A Guard ordered for the Tower.

Import-ance of the Tower.

Security to merchants.

Pym's great ſpeech to the Lords.

* Clarendon admits how vitally important it was to obtain ſecurity for the ſafe keeping of the Tower, even in the very language of cavil with which he complains of "the petition "brought and delivered in the names of ſeveral merchants "who uſed to trade to the Mint; in which they deſired that "there might be ſuch a perſon made lieutenant of the Tower "*as they could confide in* (an expreſſion that grew from "that time to be much uſed), without which no man would "venture bullion into the Mint, and by conſequence no "merchant would bring it into the kingdom."—*Hiſt.* ii. 154. In that noble ſpeech (one of the greateſt monuments of eloquence, at once maſſive and perſuaſive, that exiſts in the Engliſh language) delivered by Pym before the Upper Houſe at the Great Conference of the 24th of January, but a few days ſubſequent to the preſent date, when the leader of the

under command of an officer having equally the confidence of the City and the Parliament, and irremovable "without the King's command ſig- " nified by both Houſes." The officer ſelected was the Captain of the Artillery Garden, Skippon; "a faithful and able ſoldier," ſays Whitelock; a man, ſays Clarendon, who had ſerved very long in Holland, and from a common ſoldier had raiſed himſelf to the degree of a Captain, and to the reputation of a good officer; "a man of order and ſobriety, and " untainted with any of thoſe vices which the " officers of that army were exerciſed in:" a man, let me add, very notable in the coming years, and whoſe part in our Engliſh hiſtory dates from this day.*

Selection of commanding officer:

Major-General Skippon.

Character and ſervices.

Lower Houſe invited the concurrence and help of the Lords in ſaving the kingdom, but told them that their refuſal would not diſcourage the Commons in ſaving it without ſuch aid, he alſo adverts to the evil influences upon trade ariſing from the inſecurity of the Tower. "But I muſt proteſt," he ſaid, "the Houſe of Commons hath given no cauſe to theſe " obſtructions. We have eaſ'd Trade of many burdens and " heavy taxes; we have freed it from many hard reſtraints by " patents and monopolies; we have been willing to part with " our own privileges, to give it encouragement; and we have " ſought to put the merchants into ſecurity and confidence in " reſpect of the Tower of London, that ſo they might be " invited to bring in their Bullion to the Mint as heretofore " they have done. We are no way guilty of the troubles, " the fears, the public dangers, which make men withdraw " their ſtocks, and keep their money by them, to be ready for " ſuch ſudden exigents as in theſe great diſtractions we have " too much cauſe to expect. I muſt clear the Commons. " We are in no part guilty of this. Whatſoever miſchief " theſe obſtructions in trade ſhall produce, we are free from it. " We may have our part in the miſery, we can have no part " in the guilt or diſhonour."

Effect of political troubles on trade.

Defence of the Commons.

* Whitelock (i. 191), has preſerved for us a ſpecimen of

Named Chief of the City Militia.

Captain Skippon was named, before the Committee aroſe, Major-General of the Militia of the City of London. It was an office never before heard of, Clarendon ſays afterwards in his Hiſtory, nor imagined that they had authority to conſtitute. Their authority, it might have been replied, ſprang into life with the proclamation iſſued on this 8th of January 1641-2, and the letter of that morning's date from the Council Board. It had become neceſſary that the Trained Bands of London ſhould be under the command of a perſon fit to lead them, and authority waits upon neceſſity. A Sub-Committee was alſo appointed to confer and arrange, as to the Military arrangements for Tueſday, with the Common Council of London: order having been at the ſame time iſſued, to the Sheriffs of London and Middleſex, for the raiſing of the *poſſe comitatus* "for the "Guard of the King and Parliament" on the occaſion of the return to Weſtminſter. Little was that precaution needed. But even the men

How authority comes into being:

Attends upon neceſſity.

Order for *poſſe comitatus*.

No ſuch guard needed.

Skippon and his ſoldiers.

what he calls thoſe ſhort and encouraging ſpeeches to his ſoldiers which induced the City Bands, all through the Civil War, to march forth under his command with the utmoſt cheerfulneſs. "Come, my boys, my brave boys, let us pray "heartily and fight heartily. I will ſhare the ſame fortunes "and hazards with you. Remember the cauſe is for God, "and for the defence of yourſelves, your wives, and children. "Come, my honeſt brave boys, pray heartily and fight heartily. "and God will bleſs us!" Thus would he go all along with the ſoldiers, adds the grave Mr. Whitelock; talking to them, ſometimes to one company, and ſometimes to another; and the ſoldiers ſeemed to be more taken with it than with a ſet formal oration.

Liking for ſhort ſpeeches.

who ſat at Grocers' Hall at the cloſe of this eventful week of January, could not gauge the depth or force of the feeling, which, ſince its commencement, had ſtirred London and its adjacent counties to their depths, and already had determined finally the queſtion of the ſafety of Parliament againſt the King. Though the Committee made arrangements and iſſued orders as having no longer any fear, they could have formed but little notion as yet of the character and kind of triumph wherewith the great maſs of the people were preparing, againſt the day of the propoſed return to Weſtminſter, to celebrate and glorify the men whom the King ſo recently had denounced as traitors, and on that very day had again publicly outlawed and proſcribed.

Committee ignorant of their power.

Triumph preparing.

Members to be borne back by the people.

A very ſtriking incident occurred before the Committee, on this 8th of January, adjourned. Word was brought to them that the King, attended by certain members of the Houſe of Lords, propoſed to come in perſon on Monday next to the Committee. It was probably a mere threat, thrown out in the hope that it might compel abandonment of the propoſed public appearance of the accuſed members on that day. But, whether really or only colourably entertained, the Committee, with conſummate calmneſs and good taſte, intimated their readineſs to give dutiful welcome to ſuch a viſit, by the degree of preparation they would make

Propoſal of King to attend Committee.

Its reception.

Due reſpect to be paid.

for it. "Thereupon they ordered *the Captains* "*of the Trained Bands that attended them as a* "*Guard* ſhould take eſpecial care that his

Way to be made for King and Nobles.

"Majeſty and the Engliſh nobility have way "made for them to come in; and Sir Ralph "Hopton and Mr. Charles Price, who were "the King's ſervants, were deſired *to ſtand by* "*the Officers of the Guard to ſee the ſame* "*performed*, and to ſhew them ſuch perſons "as are of the Engliſh nobility." Of courſe nothing more was heard of a viſit from the King.

§ XXXVI. Sunday the Ninth of January.

Viſitors in City ſtreets and chapels.

Sunday, the 9th of January, ſaw groups of ſtrange viſitors in the London ſtreets, churches, and chapels. The City had become ſuddenly and ſilently filled with other than the familiar faces of her Citizens. Men not known to each other but by the purpoſe that lighted up each countenance as they met, men who were complete ſtrangers, ſays Lilly, graſped hands firmly, and paſſed on without uttering a word. A ſettled and quiet determination everywhere ſhowed itſelf. Large numbers had poured into London that morning with a petition, ſigned by ſeveral thouſands for protection of Mr. Pym. They were chiefly of the citizen and merchant claſs, but in attendance upon them were thickly gathering crowds of apprentices and artizans. Four thouſand ſquires and

Strangers meeting as friends.

Petitioners for Pym.

freeholders had ridden up yeſterday from Buckinghamſhire to protect their beloved repreſentative: ſubſtantial farmers and ſturdy yeomen, born and bred within the ſhadow of Hampden's beeches; gentlemen of landed eſtate, who had ſelected him to obtain redreſs for their wrongs: the ſame, who, but a few weeks before the aſſembling of this parliament, had in great numbers preferred impriſonment to a timorous compliance with unjuſt levies of coat and conduct money in their ſeveral ſhires. They are here now to live or die with Mr. Hampden; to offer ſervice to the Commons; reſpectfully to petition the King. And from many a pulpit iſſued forth, on this memorable Sunday, the ſolemn greeting of the great city to her welcome viſitors. "We did "hear ſeveral moſt ſavoury diſcourſes out of "the hundred and twenty-ſecond Pſalm." The noble old words bring back the fervour of the true faith, the belief in God and His word, the ſtern and indomitable reſolution, which characteriſed this grand time. "Our "feet ſhall ſtand within thy gates, O Jeruſalem! "Jeruſalem is builded as a city that is compact "together: whither the tribes go up, the tribes "of the Lord unto the teſtimony of Iſrael, to "give thanks unto the name of the Lord. . . . "Pray for the peace of Jeruſalem: they ſhall "proſper that love thee! Peace be within thy "walls, and proſperity within thy palaces!"

Petitioners for Hampden.

Savoury diſcourſes.

122nd Pſalm.

Text preached from.

§ XXXVII. Preparations for the Triumph.

Monday 10th Jan^{y}: It was nearly ten on the following morning when the proceedings of the Committee were reſumed. The Committee men had found it

Laſt ſitting in Grocers' Hall. no eaſy matter to get to their places; ſo thronged were the narrow ways of the Poultry, and ſo difficult the approach to the magnificent old Hall which the wealthy Company of Grocers had placed at their diſpoſal. For, this was the day when the accuſed members were publicly to reſume their ſeats by the ſide of

Crowds aſſembled. their colleagues, and denſe crowds of the people had aſſembled to give them welcome as they paſſed in from Coleman Street. When D'Ewes entered, Glyn had been explaining the conduct of the Roman Catholic Lord Herbert, in a matter which ſhowed his loyalty to the Houſe; and this elicited from all ſides

Speeches of Glyn and Pennington. (the Puritan Sir Simonds himſelf chiming heartily in with it) an expreſſion of gratitude and reſpect. Alderman Pennington then roſe to make a communication reſpecting the Tower; and what he had to relate confirmed the alarms of the week preceding,

Suſpected tamperings at the Tower. and eſtabliſhed the fact of interferences with the guard and defence of that all-important fortreſs, in direct oppoſition to the orders of the two Houſes. The hamleteers, who acted ordinarily as warders, had been diſcharged, and

were not ſuffered to re-enter; while others had been introduced in their place. The body of canoneers, upwards of forty in number, whoſe reſidence was outſide the walls, had been ordered to take up reſidence within; a company of carbineers had joined them; and, acting with theſe, there were now ſome forty or fifty retainers of the accuſed Biſhops: all diſaffected to the Houſe. Several of the old hamleteers, being called in, depoſed alſo to acts of the new Governor having a drift entirely oppoſed to the reſolutions of Parliament. The carbineers had been introduced ſecretly; within the paſt two days, conſiderable numbers of "cavaliers" had been permitted to paſs in and out; unuſual quantities of ammunition were in ſtore; and the flood was kept in the moat. A ſub-committee was appointed, therefore, to examine further; and direction was iſſued for the attendance of Sir John Byron.

Evidence of danger.

"Cavaliers."

Sub-committee appointed, and Byron ſummoned.

Then roſe Sir Henry Ludlow, the member for Wiltſhire, father of the more famous Edmund (who upon Sir Henry's death in 1644 ſucceeded him in the repreſentation of his county), and ſubmitted a vote to be paſſed by the Committee, and reported to the Houſe, declaring it to have been a traitorous conſpiracy in Sir William Killegrew and Sir William Fleming to publiſh to the Four Inns of Court a ſcandalous paper againſt Five Members of the Commons. But this

Motion againſt Killegrew and Fleming.

Moderation of Committee.

Violent language diſliked.

reſolution, ſays D'Ewes, in a paſſage that exhibits characteriſtically the prevailing deſire to avoid all intemperance of expreſſion, had to be "referred to Mr. Glyn and ſome others to "put into form, becauſe it was very long, and "[contained] too high expreſſions of ſome "cruel and bloody intentions in the ſaid Sir "William Killegrew and Sir William Fleming." Soon the ſub-committee returned, and the ſub-joined reſolutions were put. The wiſh ſeems to have been that all the votes having direct perſonal reference to the outrage committed on the Five Members, ſhould be taken before their appearance among the Committee; and that what was reſerved for ſettlement on their arrival ſhould be ſimply the order of procedure for the Return to Weſtminſter next day.

Reſolutions modified and paſſed.

Againſt agents on the 3rd and 4th.

The Chairman roſe, and read from the paper handed to him: That the publiſhing of ſeveral articles purporting to form a charge of High Treaſon againſt certain Gentlemen, members of this Houſe, by Sir William Killegrew, Sir William Fleming, and others (in the Inns of Court and elſewhere, were afterwards inſerted), was a high breach of the privilege of Parliament, a ſeditious act maliciouſly (ſo written in miſtake for manifeſtly) tending to the ſubverſion of the peace of the kingdom, and an injury and diſhonour to the ſaid members, there being no legal charge or accuſation againſt them.

Further, the Chairman read: That the privileges of Parliament, and liberties of the ſubject, ſo broken, could not be fully vindicated unleſs the King would diſcover who adviſed him to the ſealing up of chambers, ſtudies, and trunks of ſaid members, the ſending a ſerjeant to the Houſe to demand them, and coming in his own perſon to Parliament to apprehend them, to the end that ſuch evil counſellors might receive exemplary puniſhment.—But as theſe words were read, ſeveral members ſuggeſted the neceſſity of alluſion to the warrants under the King's hand; and the fact of the appearance of Serjeant Dandie and his company in the City, for the declared purpoſe of ſeizing the accuſed, together with the ſimultaneous appearance of the Proclamation threatening penalties of the law againſt all who ſhould be diſcovered entertaining, lodging, harbouring, or converſing with them, became the ſubject of excited converſation and diſpute. In the end, the words "and to iſſue ſeveral "warrants under his Majeſty's own hand to "apprehend the ſaid members"* were inſerted in the firſt reſolution, and the vote was made to compriſe this addition: And that it was lawful for all perſons whatever to entertain, lodge, harbour, or converſe with, thoſe five gentlemen, and that whoſoever ſhould be

Againſt evil counſellors.

Againſt Proclamations iſſued.

Againſt warrants under King's hand.

* Interlineations of the votes as originally put, appear in Sir Ralph Verney's *Notes*, 141, 142.

queſtioned for the ſame was, and ſhould be, under the protection and privilege of Parliament.

Speech by Maynard.

Before the votes finally paſſed, a ſomewhat remarkable ſpeech was made by Maynard, who ſat for Totneſs. This was the ſame able and unſcrupulous lawyer who, acting cloſely by the ſide of Glyn throughout this great buſineſs, as a ſtickler for the rights of Parliament and the people, conſented afterwards, with Glyn, to do the dirty work of the Reſtoration; had the inexpreſſible baſeneſs to join with him in conducting the proſecution againſt Vane; and moſt juſtly drew down upon himſelf and his aſſociate, even during the orgies of the opening of Charles the Second's reign, contempt and hatred from the common people and citizens, who had not, through all that interval of nearly twenty years, forgotten theſe their old high-flying efforts in behalf of popular rights againſt Court and King.*

His fellowſhip with Glyn.

Remembered at the Reſtoration.

For the preſent, however, it is to be admitted, in juſtice to the member for Totneſs,

Mr. Pepys' political rogues.

* "Bleſſed be God," ſays Pepys, devoutly, at the cloſe of the long entry in his *Diary* (i. 179, 180, ed. 1854) of the 23rd April, 1661, in which he has been deſcribing Charles the Second's Coronation, "I have not heard of any miſchance "to anybody thro' it all, but only to Serjeant Glyn, whoſe "horſe fell upon him yeſterday, and is like to kill him, which "people do pleaſe themſelves to ſee how juſt God is to "puniſh the rogue at ſuch a time as this: he being now one "of the King's Serjeants, and rode in the Cavalcade with "Maynard, to whom people wiſh the ſame fortune." And who will not remember Butler's immortal couplet?

Popular view of them.

"Did not the learned Glyn and Maynard
To make good ſubjects traitors, ſtrain hard?"

that he ſpoke forcibly, and drove the particular queſtions home. After enlarging, in the manner of the time, upon the nature of a Parliament, and its ſovereignty in diſcovering and curing all diſeaſes in a Commonwealth; after avowing his confident belief that the long intermiſſion of thoſe aſſemblies had been the ſole cauſe of all the evils and troubles that had happened to his Majeſty's kingdoms; he ſaid that the worthy gentleman below him, indicating the member for Colcheſter, had, on a previous day, expreſſed in very pregnant terms the one great privilege of Parliament to which every other ſubſerved. This was, Not to be queſtioned or accuſed, for or concerning any vote, argument, or diſpute, during free ſitting as the people's repreſentatives, either in the continuance of a Parliament, or after the ſame might be diſſolved or broken off, either legally or illegally. Applying which to the tranſactions of the 3rd and 4th, he would ſay that no greater breach could be committed than to accuſe of High Treaſon five members of that Houſe during the continuance of its ſittings, for and on account of matters debated on and done in the Houſe, in their character of members thereof; and then, upon ſuch accuſation, to proceed to break open their chambers, trunks, and ſtudies, and ſeize upon their books and writings.

His preſent view of parliaments:

their privileges:

the attempted arreſt:

and the unlawful ſeizures.

For if, ſaid this ſkilful and popular ſpeaker,

All public buſineſs in peril.

if to be queſtioned for free debating or arguing in Parliament were no breach of privilege, then could they not ſafely intermeddle with or agitate any buſineſs whatſoever, concerning either Church or State, but what ſhould be appointed and nominated by his Majeſty and his Privy Council. And further, if, for things done in the Houſe, if, repeated Maynard, amid

"Well moved."

cries of "very well moved," for things expreſſly done therein, freely choſen members of that Houſe might be accuſed of treaſon, then would it be dangerous longer to ſit in Parliament upon any buſineſs of diſorders in the State and grievances to the ſubject, committed or done by great perſonages, ſuch as Lords and Biſhops; ſeeing that theſe might at any

Lords and Biſhops uncontrolled.

time, by their ſubtle inventions, induce his Majeſty to favour their actions, by merely pretending to uphold his honour, maintain his prerogative, ſupport his royal power, and the like.

And finally he had to ſay that if upon any ſuch accuſation, the chambers, trunks, and ſtudies of ſuch accuſed members might be broken open, and their writings ſeized upon, then would it altogether diſcourage any man to undertake any ſervice for the good of his country, who ſhould ſo perceive that he might at pleaſure be bereaved of ſuch means

Men of ſpirit diſabled.

and helps as alone enabled and rendered him fit for duties to the Commonwealth. He was for thoſe reaſons, therefore, favorable to the

votes then ſubmitted, and to a declaration to be drawn up from the ſame for the information and encouragement of all loyal ſubjects.

The reſolutions had ſcarcely been voted, when a commotion outſide the Hall gave notice of ſome freſh excitement, and it was announced that a very numerous deputation of ſailors and mariners, maſters and officers of ſhips, bringing with them a petition ſigned on the ſudden by more than a thouſand hands, had come to proffer their ſervices, in D'Ewes's phraſe, "to "be with us tomorrow, to defend the Parlia- "ment by water with muſkets and other "amunition in ſeveral veſſels; which was "accepted by us," and all needful orders made in relation thereto.* Permiſſion was given, for example, that all the veſſels ſhould be fitted with artillery, proviſo being made that no command for firing, ſave in the way of ſalute, ſhould be given that day, unleſs "the King "and Parliament" ſhould be firſt aſſailed. Order was alſo drawn up for the place of rendezvous. To take advantage of the tide, and that the whole fleet might come through bridge together, they were "to meet at the Hermi- "tage at 3 next morning." All which being

Agitation outſide.

Petition of ſailors.

Services of mariners accepted.

To meet at 3 next morning: at the Hermitage.

* *Harl. MSS.* 162, f. 309 b. Ruſhworth, in his brief alluſion to theſe occurrences (*Coll.* III. i. 433), ſays that it was on Saturday both the ſeamen and the apprentices attended to proffer their ſervice: but D'Ewes, who reports all the details, is of courſe to be preferred as a witneſs, and he is entirely ſupported by Sir Ralph Verney's brief record, *Notes*, 141-2.

D'Ewes more correct than Ruſhworth.

The "water-rats." ſettled, away went the "water-rats," as the King bitterly called them, when, hearing this day of their proffer ſo to guard the Commons back to their home at Weſtminſter, he felt himſelf weaker by one deſertion more, and ſaw that his mariners and ſeamen had gone over to his enemies.

The Five Members approach. But now came ſhouts from without far exceeding any that had yet been heard, and the Five Members were known to be approaching.

Enter and take ſeats. They entered amid what D'Ewes calls the "welcome of many," and took their places "in "among us." He remarks in what order they entered, Hollis and Haſelrig, Pym, Hampden, and Strode; and the imagination ſupplies all that his ſimple expreſſion includes,

Greeting. of the heartfelt ſympathy that greeted them, and of the determination of the Committee to make common cauſe with colleagues branded as traitors, whoſe only title to that vengeance of the Court had been the extent of their ſervice to the Houſe of Commons and the people. When they had taken their ſeats, it was found that cries and preſſure ſtill ſo increaſed from without that it was expedient to call in a certain number as ſpokeſmen for the great maſs of the common people and apprentices, who were

Offers from the common people. ſaid to be thronging round the doors. They entered accordingly, and, ſays D'Ewes, "in "their own names and in the names of all the "reſt deſired to guard the Parliament to-

" morrow. Whereto Serjeant Wilde, by order
" from and in the name of the Committee,
" gave them hearty thanks for their preſent offer Thanked
" and former care and readineſs to guard the by Com-
" Parliament, wherein many of them had been mittee.
" wounded. For this the Committee hoped
" to ſee them have redreſs in due time: but
" deſired them to keep at home to-morrow for
" the guard of the City, whilſt their maſters
" did guard up at the Parliament: and that
" whenſoever we had occaſion to uſe them,
" they ſhould have notice from us. One of
" them anſwered for the reſt that they would
" obey our command, and ſo departed."

Still another group from thoſe eager crowds Offers
without, however, had by this time forced its from South-
way into the outer paſſages of the Hall, and a wark
pauſe had to be made for its reception in the Trained Bands.
committee room. " Divers," ſays D'Ewes,
" of the borough of Southwark then came
" and offered the aſſiſtance of their Trained
" Bands to us to-morrow, to come and be our
" guard at Weſtminſter. We told them that
" we hoped the City of London would take
" care for our guard: but accepted their offer Accepted,
" with thanks, and deſired them to be in the and told
" fields about Lambeth and in Southwark in to be in
" their arms."* arms.

Sir John Clotworthy now roſe, and per-

* *Harl. MSS.* 162, f. 313 b. I may take this opportunity of ſaying that the entire proceedings of this Monday the 10th January are compriſed within ff. 312 a, and 313 b.

Protection of Sub-Committee.

formed the great ſervice of the day. He reported the heads of the various reſolutions which the Sub-Committee named at the preceding ſitting had ſettled with the Committee of the Common Council of London appointed to confer with them, for proviſion of the Military Guard to accompany the Five Members on their return to Weſtminſter on the morrow. *This* was the true pledge of welcome which the Houſe and the City had been all theſe days preparing, and by which they became bound, in penalties of treaſon they would hardly themſelves have queſtioned, never to recede from the conflict now provoked until a victory was won. Each article of the reſolutions was put ſeparately, and a vote taken upon it: not without reſiſtance from ſome who were preſent (among them Hopton and Price, and Sir Edward Dering; what tone was taken either by Falkland or Culpeper is not aſcertainable), but with a quiet and ſtern determination on the part of the great majority, as fully conſcious of the reſponſibilities incurred. "It was really trea-ſon," exclaimed Philip Warwick,* "for them to march without the King's commiſſion." If it were in ſtrictneſs ſo, then ſo let it be: they believed indeed otherwiſe, and that, even by royaliſt theories of the conſtitution, to ſecure the ſafety of the Parliament and Kingdom was

Arrangements for Tueſday's guard.

Irrevocable ſtep.

Raiſing troops without commiſſion.

* *Memoirs*, 226, ed. 1813.

to provide for the ſafety of the King: but to the courſe they were now taking, whatever it might involve, they had been driven in ſheer ſelf-defence by their aſſailant. Reſolutions voted:

The firſt reſolution* was, that it had become neceſſary to have a ſufficient guard provided for the ſafety of the King, Kingdom, and Parliament. The ſecond, that ſuch guard ſhould be raiſed out of the City and the parts adjacent. The third, that eight companies ſhould be appointed for to-morrow's guard, to aſſemble at eight o'clock, under the command of Captain Skippon. The fourth, that Skippon ſhould receive rank as Serjeant Major General of the City Forces, until the City ordered it otherwiſe; and that all the officers and men who ſhould be of the Guard ſerving under him, were to take the Proteſtation† before they marched. The fifth, that eight pieces of ordnance, with all accoutrements belonging thereto, First. Second. Third. Fourth. Fifth.

* Theſe all important votes are now for the firſt time ſet down as they were paſſed. A copy of them is in Verney's *Notes* (142-3), but leſs correct than that of D'Ewes; and ſo unfamiliar ſtill was the name very famous afterwards, that "Skipworth" is written in every inſtance by Verney, inſtead of Skippon. D'Ewes gives the right name. Verney's miſtakes.

† For the terms of the Proteſtation, ſee *Ruſhworth*, III. i. 241. And for the names ſubſcribed to it of the members of the Commons (between 4 and 500) and the Lords (numbering with the judges and lawyers 106), *Ibid.* 244-8. The oath taken included a ſolemn profeſſion of determination ſo maintain "the true Reformed Proteſtant Religion, expreſſed in the "Doctrine of the Church of England, againſt all popery "and popiſh innovation within this realm, and alſo the "power and privilege of parliaments, and the lawful rights "and liberties of the ſubjects." The Proteſtation.

ſhould accompany the Guard; and that all the Trained Bands were to be at their colours, under
Sixth. Skippon's command. The ſixth, that Serjeant Major General Skippon ſhould not fail to perform what was ordered that day; and that, until ſuch ſervices were ended, he was not to ſtir upon any command or countermand whatever, without conſent and direction from
Seventh. parliament. The ſeventh, that Skippon and his force were declared to have power, ſhould violence be offered, to offend and
Eighth. defend. The eighth, that all Captains were to receive order to beat drum, de die in diem, from Skippon himſelf; and that all ſoldiers ſhould repair to their colours in arms. The
Ninth. ninth, that all citizens who might be diſpoſed to mount themſelves ſhould likewiſe be commanded by Skippon, and that ſuch would be
Tenth. held as a moſt acceptable ſervice. The tenth, that all ammunition neceſſary ſhould be provided out of the Chamber of London. The
Eleventh. eleventh, that the Common Council Committee were to be conſidered free from all commands and arreſts, and that they ſhould not, until further leave obtained from the Houſe of
Twelfth. Commons, ſtir out of the City. The twelfth, and laſt Reſolution, declared that all this ſervice in general, as well as in every particular, ſhould be held good and acceptable ſervice, *and legal;* and that it ſhould be accounted to be for the ſafety of the King, Kingdom, and Parliament.

Theſe votes having been taken ſeparately, Hampden was the firſt to break the ſilence which the Five Members had obſerved ſince they reſumed their ſeats. He thanked the Committee for his friends and himſelf, craving their good counſel as to a matter it behoved him to lay before them. "Divers thouſands "were coming out of Buckinghamſhire with "a petition. The petition was to declare "their readineſs to live and die with the Par- "liament, and in defence of the rights of the "Houſe of Commons. He had to ſtate that "they came in a peaceable manner, and that "he thought it his duty to acquaint the Com- "mittee therewith."* Upon this, however, the Royaliſt members preſent appear to have offered a reſiſtance hardier than any by which the Reſolutions were met. Very many, D'Ewes informs us, ſpoke to what Mr. Hampden had ſaid; and ſeveral would have had the men coming out of Buckinghamſhire ſent unto to have returned thither. But this of courſe was

Hampden ſpeaks.

Will you receive my conſtituents?

4000 from Bucks.

Better go back?

* The numbers of Hampden's petitioners are very variouſly ſtated. "As ſoon," ſays Clarendon, ſpeaking of the day following the preſent, "as the citizens and mariners were "diſcharged, ſome Buckinghamſhire men, who were ſaid to "be at door with a petition, and had indeed waited upon "the triumph with a train of four thouſand men, were called "in: who delivered their petition in the name of the inhabi- "tants of the County of Buckingham, and ſaid it was "brought to the town by about ſix thouſand men." ii. 166. Dering, in the ſame letter to his wife in which he ſtates the number at five thouſand, puts in a parentheſis his belief that they were not more than two thouſand. Ruſhworth (III. i. 486) reckons them at four thouſand; D'Ewes, at five or ſix thouſand.

What number from Bucks? Hyde. Dering. Ruſhworth and D'Ewes.

No: we will hear them.

over-ruled. "The greater ſenſe of the Com-
"mittee," ſays D'Ewes, "being to let them
"alone, becauſe we did not know fully the
"intent of their coming." It was afterwards ſaid by Clarendon that only Mr. Hampden fully knew that; that the levying of war in England dated from the day when thoſe

War beginning.

thouſands out of Buckinghamſhire were invited to tender their petition; and that whatſoever afterwards was done, was but the ſuperſtructure upon the foundations which that day were laid.* The remark is at leaſt rendered more intelligible by the picture D'Ewes has given us of Hampden on the eventful day. In

Hampden's attitude and bearing.

the very moment of the paſſing of reſolutions claiming rights of the executive for the Commons' Houſe alone, to riſe and direct attention to "thouſands" of his conſtituents who had ridden up from their county to ſhow readineſs, if need were, to die for that Houſe, diſplayed at leaſt the collected and determined ſpirit of the member for Buckinghamſhire.†

Laſt acts of Committee.

Only two more acts of the Committee are recorded by D'Ewes. The firſt was a report made from the Iriſh Committee by Sir Robert Harley, to the effect that the Lord-Lieutenant of Ireland would, at their ſuggeſtion, diſable

* *Hiſt.* ii. 170.

† Whitelock, in mentioning the arrival of theſe troops of Buckinghamſhire yeomen (1-156), ſays that they brought up a petition on behalf of their knight of the ſhire, "whereof "probably he was not altogether ignorant beforehand."

from his command Captain Hide,* notorious for his inſolent demeanour on the day of the attempted arreſt. The ſecond was their anſwer to a meſſage from the Lieutenant of the Tower. "A meſſage," ſays D'Ewes, "came "from Sir John Byron, declaring that he "heard there were ſome complaints here "againſt him: and that he deſired to know "them, that ſo he might make anſwer to "them. We refuſed to give his meſſenger any "anſwer, becauſe he took notice of what had "been acted here, and did not apply himſelf "to anſwer by petition."† With which cha-

Captain Hide diſabled.

Refuſal to receive Sir John Byron's meſſenger.

Why ſhould he have been? The ſame imputation is repeated with addition, in a Royaliſt Satire (*ſpeech againſt Peace at the Cloſe Committee*).

Hampden's ſhare in Bucks petition.

Did I for this my county bring
To help their knight againſt their king,
And raiſe the firſt ſedition?
Though I the buſineſs did decline,
Yet I contrived the whole deſign,
And ſent them their Petition.

A paſſage from the Petition will be quoted ſhortly, and it certainly bears throughout the Hampden mark very viſibly ſtamped upon it. But the charge implied is, that though he appeared to "decline" the ſervices of his friends, he had really in ſecret "contrived" them. It is the old accuſation: and I name it here that the reader may ſee, by Hampden's open and frank avowal before the Committee itſelf, how groundleſs it is.

Falſe charge.

* See *Ante* 185. *Harl. MSS.* 162, f. 313 b. D'Ewes's exact expreſſion is: "that the Lord Lieutenant would put "out Capt. Hide as we had deſired, and that he would ſend "ſuch liſts of the officers as we had deſired."

Captain Hide.

† *Harl. MSS.* 162, f. 313 b. The reſult finally was, that Sir John Byron was diſplaced, and Sir John Coniers, the ſame who was ſelected by Strafford for the defence of Berwick, and whom Clarendon (in a paſſage of his Hiſtory, ii. 172, ſuppreſſed by his ſons) admits the King had no other exception to than

New lieutenant of the Tower.

3 p.m. 10th January. Cloſe of Committee.

racteriſtic aſſertion of having maintained unimpaired the full plenitude of power with which the Houſe had inveſted them, this famous Commitee brought its ſittings to a cloſe. D'Ewes ſhut up his note book and quitted the Hall a little after 3 o'clock.

§ XXXVIII. Flight of the King.

3 p.m. 10th January. Propoſed flight of King.

At almoſt the ſame hour when the member for Sudbury was leaving the Committee room in the afternoon of Monday the 10th of January, Charles the Firſt had formed the determination to quit Whitehall.

As the incidents of that laſt ſitting of the Committee were communicated to him, by meſſengers who paſſed to and fro between the City and the Palace, in vain he had attempted to ſuppreſs his agitation. To an obſtinate incredulity had ſucceeded a diſmay and bewilderment the moſt extreme, and long did his partiſans remember the ſorrowful humiliations of this day. It was, ſays Clarendon, the trouble and agony which uſually attend gene-

Acts of Committee told to Charles.

Confeſſed uſurpations.

that he was recommended by *them*, was named Lieutenant in his ſtead. The Houſe did not affect to diſguiſe from themſelves the real drift and tendency of theſe interferences with the executive. Clarendon characteriſes their orders as to the Tower as "an act of ſovereignty even of as high a nature "as any they have ſince ventured upon." ii. 173. And ſubſtantially they did not themſelves deny this: but, according to D'Ewes, it was rendered abſolutely neceſſary "in regard of "the great jealouſies and diſtractions of London, the citizens "everywhere ſhutting up their ſhops and giving over trade" in conſequence of the inſecurity of the Tower.

Why neceſſary.

rous and magnanimous minds upon their having committed errors. * It was, ſays a leſs partial critic, the deſpicable repentance which attends the man, who, having attempted to commit a crime, finds that he has only committed a folly. His trouble and diſmay.

His reſolve at laſt was taken ſuddenly. He might have liſtened, comparatively unmoved, to the intelligence that the ſtreets of his city were crowded with freeholders and yeomen of Bucks, who had ridden up by "thouſands" to defend their repreſentative Mr. Hampden. He might have heard in ſullen ſilence, if not indifference, that ſuch a gathering of the common people as had not been witneſſed ſince the day of Strafford's execution, were about to ſurround Whitehall with a petition to defend Mr. Pym.* It would have mattered little to Takes ſudden reſolve. Crowds for Hampden. For Pym.

* As the copies of this petition, afterwards preſented to the King at Windſor, are extremely rare (it is not among the King's Pamphlets, and I have indeed never ſeen but the ſingle copy in my own poſſeſſion which was obtained for me by the late Mr. Rodd), a few lines may be here taken from it. It deals with each article of treaſon ſeparately; and thus comments upon that which charged the endeavour to ſubvert the fundamental laws: "This ſeems contrary, in regard that "hee hath laboured rather to ratifie and confirm the funda- "mental lawes; in his diurnal ſpeeches ever ſpecifying his "reall intent, as the inſtitution and not the diminution or "ſubverſion of law." As to the alleged traitorous endeavour to ſubvert the rights and very being of parliaments, this is the remarkable and emphatic comment: "To this we may "anſwer with great facility, *Hee was the chiefe cauſe that* "*this parliament was aſſembled*, and it ſeems very incongruous "that he ſhould ſubvert the ſame. Moreover he is the ſole "man that ſtands for the antient rights and liberties of parla- "ment, and it ſeems a ſtupendous thing that he ſhould aſſail "the ſame." While on this ſubject I am tempted to add, Popular Petition. Pym's ſupport of law. Author of the Long Parliament.

Alarming defections.

him that contemptuous cries and hooting from the populace were audible at the very gates of his palace. But when it was told him that ſections of every claſs of his ſubjects had offered allegiance and ſervice to the men whom he had publicly branded as traitors; that his

before the D'Ewes Journal is finally cloſed, ſome evidence of the abuſe, not leſs than the praiſe, of which the great leader had ſo truly portentous a ſhare as well now as to the end of the ſtruggle. While, from this period to the outbreak of the war, his vaſt influence within the Houſe renders poor D'Ewes himſelf, as his diſſatiſfaction with public affairs increaſes, daily more and more peeviſh and unhappy, in the Journal we alſo find almoſt daily evidence of aſſaults to which he was ſubjected out of doors. Now (to take a few inſtances from amid the events we have been deſcribing) it is the "Examination of Jno. Sampſon a mean fellow who ſaid the "kingdom would never be in quiet till Mr. Pym & ſuch "others as he was were hanged. His excuſe, that he was "in drink. Sent to Houſe of Correction. Sir A. Brown "ſhowed that Mr. Nelſon, a ſcandalous Miniſter in Surrey, "had ſaid Mr. Pym was neither a gentleman nor a "ſcholar." *Harl. MSS.* 163, 377 b, 385 a. On another day it is an "Information given againſt two men who "had ſaid the King was no King becauſe he did not "take up arms againſt the Scots, & that Pym was King "Pym, and that that rogue would ſet all the kingdom together "by the ears."—*Ib.* 163, ff. 322 a, 331 a. On a third day it is a "Report from the Committee of information of one "Thomas Shawberie, a graduate of Emanuel College about to "proceed a Doctor of Phyſic this commencement, who had "yeſter night at the Croſs Keys in Gratious Street called Mr. "Pym, a Member of this Houſe, 'King Pym' & 'Raſcal' "& that he would cut him in pieces if he had him."—*Ib.* 163, f. 424 a. Let me add, that out of numberleſs ſimilar teſtimonies to Pym's unexampled influence in the State, and to the royaliſt hatred it inſpired in a meaſure almoſt equal to the popular idolatry, one of the moſt remarkable will be found in a long poem in Mr. Wright's *Political Ballads of the Commonwealth* (pp. 30—38, Percy Society), which bears for its title, "The Penitent Traytor; or the Humble Confeſſion of "a Devonſhire gentleman who was Condemned for High "Treaſon, and Executed at Tyborne for the ſame, in the raigne "of King Henry the Third, the nineteenth of July 1267." Pym was of Somerſetſhire, but he ſat for Taviſtock in Devon.

Attacks on Pym.

"Not a gentleman or ſcholar."

"Rogue and Raſcal."

"Penitent Traitor."

mariners and ſeamen, "the water rats," had deſerted him; that the Trained Bands of London and Southwark were in arms againſt him; that, for the men whom he would have ſent to a public ſcaffold, ſuch a public triumph was preparing as only waits upon Conquerors and Deliverers; and that, finally, to protect and conſolidate their triumph, and in *his* deſpite to "guard the Parliament, the King-"dom, and the King," a military force had been created, and military rank beſtowed—he appears to have yielded all at once to what is known to have been the counſel of the Queen, and to have given ſudden directions for the flight.

"water-rats."

Trained Bands.

Triumph for "Traitors."

A ſudden ſenſe of danger.

"The iſſue is," wrote Sir Edward to Lady Dering,* "that the King went ſuddenly out "of town with the Queen and Prince, *angered* "*and feared with the preparation of armes to* "*attend us the next day.* Nor can I wonder "at his purpoſe therein; but approve it. . . . "The Commons go high: and not only the "Houſe, but a Committee of the Houſe, "have armed and imbanded the King's ſubjects, "not only without his leave aſked, but have "made a Serjeant Major General *to the* "*King's terror. For thereupon he went out of* "*towne, and not till then.* . . . Jealouſies are "high, and my heart pitys a King ſo fleeting "and ſo friendleſs, yett without one noted

Sir Edward Dering to his wife.

Commons going high.

King's "terror."

Pity for the King.

* MS. Letter (13th Jan. 1641-2) already quoted: *ante* 48.

Noted vices leſs dangerous than ſecret.

"vice." It is not the "noted" vices which are moſt dangerous in kings.

There was doubtleſs much, in the "noted" reaſons for this flight of a king from the capital of his kingdom, to awaken ſympathy from ſuch minds as Dering's: but more ſecret reaſons and purpoſes betrayed themſelves too ſoon, to permit the moſt ardent of the gentlemen who remained loyal to the ſovereign to deceive themſelves as to the temper in which London had been abandoned. It was not the fear of being deſerted by friends, but the mortification of being diſabled from ſtriking further at enemies. For Charles the Firſt, the hope of ſo ſtriking effectively exiſted now only in the provinces of his kingdom. Away from London, he might purſue his ſecret levies; and, while the actual outbreak of war was delayed, his abſence could not but diſorganiſe the operations of Parliament. The Queen had now reſolved, moreover, if ſhe could but ſcrew her huſband's courage to the ſticking place, to carry herſelf and her children for the preſent out of England, taking with her the Jewels of the Crown: and to leave London was to accompliſh the firſt ſtage. The watchful vigilance of the Commons compelled the detention of the princes; but, in little more than three weeks from this day, ſhe had ſucceeded in that moſt material part of her deſign which ſecured freedom of action and ſafety to herſelf, until the war ſhould

Reaſon for quitting London.

Hope of ſupport elſewhere.

A project of the Queen.

Vigilance of Commons.

really begin, and to her huſband the means of waging it when once his troops were in the field. "By yours of this week," wrote Sidney Bere to Admiral Pennington, "I "perceive you are ready to ſett ſaile upon "ſome ſervice, wherein I pray God to bleſſe "you wth good ſucceſſe." That was on the 13th of January; and the ſervice for which the Admiral ſo held himſelf thus early in readineſs, was undoubtedly that which on the 23rd of February he performed, of conveying to the coaſt of Holland the Queen and her daughter, and the Crown jewels of England. In little more than two months ſhe had raiſed two millions ſterling.

Secret ſervice by Pennington.

Conveys Queen to Holland.

The ſame letter of the under-ſecretary tells us further what it well imports us to know of the circumſtances of the King's departure. After mentioning the triumph of the Commons in their return to Weſtminſter, he continues: "The King and Queene toke the day "before a reſolution to leave this towne, "w^h^ was alſoe ſoe ſuddaine that they could "not have that acomodation befitted their "Maties. They went to Hampton Court that "night, next day to Windſor, whence its "conſidered they will alſoe departe as this day, "*but whither is uncertaine.* The Prince and "Pr. Elector is with them, but few Lords. "Eſſex and Holland being here, who offered "up both their places before his going, but

Under Secretary to the Admiral: 13th January.

Reports King's flight.

Eſſex and Holland.

Secretary Nicholas.

" His Majtie would not accept yr ſurrender.* " *Mr. Secretary Nicholas is likewiſe gone*, and

Refuſals to accompany the King.

* Eſſex, it will be remembered, was Lord Chamberlain of the Houſehold, and Holland Groom of the Stole. The fact mentioned by Bere confirms a portion of the ſtatement of Clarendon (*Hiſt.* ii. 163) that theſe officers of the King's Houſe had been aſked, and had refuſed, to quit London with him. It was not, however, until the 15th they applied to the Lords, and received order that " to attend the high affairs of " the realme as required by their writs was truer ſervice to His " Majeſty than any they could do him at Hampton Court." Clarendon ſays it was Holland who perſuaded Eſſex not to go: but I can find no evidence in ſupport of what he adds, that, after leaving the King to his ſmall retinue in a moſt diſconſolate perplexed condition, and in more need of comfort and counſel than they had ever known him, " inſtead " of attending their maſter in that exigent, *they went together* " *into the City where the Committee ſat*, and where they were " not the leſs welcome for being known to have been invited " to have waited upon their Majeſties." Holland was capable of the act, but of Eſſex it is not to be believed. I may add, as the point aſſumed afterwards ſome importance, that one of the moſt curious of many ſimilar entries in D'Ewes's Journal of this date is one which marks the period of the final and complete deſertion of the King by Holland and Warwick, when, caring no longer to reſort to the excuſe for non-attendance out of town, which their parliamentary obligations fairly ſupplied them with, they ceaſed to keep even a fair face to the King. On the day when the Houſe voted judgment againſt the Attorney-General Herbert for having preferred the articles of impeachment, D'Ewes himſelf handed in a ſlip of paper purporting to contain the declaration of Walter Lumley, clothier of Lavenham, Suffolk; ſubſcribed ſeemingly in Lumley's own hand. He ſtated that he was ſitting in the houſe of Mr. Ferdinando Poulton, with two others; and that, they converſing together, the ſaid Poulton ſaid there were ſome verſes made about the Parliament, namely—

Waiting on Committee.

Final deſertions.

A libel upon

" One cuckold, two baſtards, and a pack of knaves,
Strive now to make ſubjects Princes, and Princes ſlaves."

Eſſex, Holland, Warwick, and Pym.

Who are theſe three, aſked Lumley, the declarant, for he proteſted he knew not of what was meant. To which Poulton ſaid all the world knew Eſſex to be a cuckold, and Warwick and Holland to be baſtards, and that they would make Pym prince. Having duly informed the Houſe of theſe facts, and put it in poſſeſſion of the document eſtabliſhing

" hath lefte mee here to attend ſuch ſervices Small work left for Under-Secretary.
" as ſhall occurre, *w^ch^*, if the Kinge ſhall per-
" ſiſt in his reſolution to retire,* *will not be*
" *much.* Howſoever I will expect the iſſue,
" and if I bee not ſent for, thinke myſelfe
" not unhappy in my ſtay to be freed of an
" expencefull and troubleſome journey. *My*
" *Lady Nicholas is much afflicted, and I believe,* Grief of a Secretary of State's wife.
" *as well as hee, would for a good round ſumme*
" *hee had never had the ſeales. My Lord*
" *Keeper refuſing to put the greate ſeale to the*
" *King's proclamation ag^t^ the perſons accuſed,* Lord Keeper offers to reſign.
" *did alſoe make tender of his charge,* but how-
" ſoever remaines ſtill wth it. And thus, Sir,
" you ſee to what heighth of diſtempers thinges
" are come." † In this ſad condition, exclaims

the ſame, D'Ewes goes on to remark that he took an opportunity of telling the Earl of Holland what he had done: " who very well approved the ſame with very fair expreſſions " to me for it."—*Harl. MSS.* 163, f. 462 b. I need hardly add that Lord Eſſex is by no means to be put in the ſame category with ſuch men as Lord Holland. Eſſex had been conſiſtent throughout, and never concealed his popular views and wiſhes. D'Ewes and Lord Holland.

* This expreſſion (by which the Under Secretary means perſiſting in the determination to retire from Windſor and Hampton Court as well as Whitehall) ſhows that the real deſign of the King, not ſimply to eſcape the ſight or neighbourhood of the Triumph of the Five Members on the 11th, but actually and wholly to quit London and its vicinity until he could return its maſter, had been diſcuſſed at Court, and was already known in the Secretary's offices. The certain effect of ſuch entire withdrawal, it is alſo obvious from the remark of Bere, was well underſtood as an abdication of the functions of the ſovereign. It will leave us little to do here, ſays the Under Secretary to his friend the Admiral. King's flight not temporary.

† MS. State Paper Office. Bere to Pennington: 13 Jany. 1641-2. In the ſame letter the Under Secretary adds: " In " the mean time they are united in the Houſes, and the Union in Houſes.

Royal reverſes.

Clarendon, was the King fallen in ten days,* from a height and greatneſs that his enemies

Literary entertainment.

" accorde between the Upper Houſe and Commons grows
" dayly more eaſy . . . . I ſend you herew^th^ divers printed
" bookes of ſeverall ſtiles, all wch I leave for yor entertaynm^t^
" att ſpare howers. Sir John Byron, Lieut^t^ of the Tower,
" it's thought will yett be diſplaced: the Parliam^t^ not being
" ſatiſfied wth his carriage, and having, as I am told, voted
" him a delinquent . . The Parliam^t^, it ſeemes, having [have]
" taken into conſideration the ſmall Gard is att preſent att ſea,
" and ſoe have voted 30 ſaile to be ſett out forthw^th^. This is

Letters not ſafe.

" all I ſhall trouble you wth att preſent, in a time ſoe diſtracted,
" and wherein is ſoe little aſſurance into what handes letters
" may fall. Yours I humbly kiſſe and reſt, &c. &c."

* *Hiſt.* ii. 182. On that "tenth" day the King had gone to Windſor, and D'Ewes's journal gives us a glimpſe of the interior of the palace, from the reported ſpeech of a member of the Houſe who had accompanied a deputation with a meſſage, which ſeems to bear out what is ſaid by Clarendon.

Deſolate court at Windſor.

" They found," ſaid Sir John Holland, " a deſolate Court,
" and ſaw not any noblemen, and ſcarce thirty gentlemen."
(*Harl. MSS.* 162, f. 359 b.) A few days later, when the abſence of Endymion Porter from his ſeat (he repreſented Droitwich) was matter of remark, the ſame Sir John Holland, D'Ewes tells us (*Ib.* 162, f. 386 b.) "ſhowed that when he was
" at Windſor with his meſſage, the ſaid Mr. Porter informed
" him that he was at that time the only man attending upon
" his Majeſty in his Bed-chamber to dreſs and undreſs him:
" which was the chief cauſe that he could not attend the
" ſervice of the Houſe: and deſired him to move the Houſe
" in his behalf if anything ſhould be ſaid againſt him." To which I am fortunately able to add, out of the rich unpub-

Endymion Porter to his wife: 14th January.

liſhed ſtores of the State Paper Office, a letter from Endymion Porter himſelf to his " deare wyfe Olive Porter," dated from Windſor on the 14th January, that very "tenth" day from the arreſt to which Clarendon refers. It preſents a picture of the ſtraits of a married courtier during inauſpicious times, which is pleaſing as well as highly characteriſtic; and very curious is the view that is given us at its cloſe, of the jealous care with which the King and Queen were now guarding their children.

Very old ſtory.

" MY DEAREST LOVE,—As for monnies I wonder you
" can imagin that I ſhould helpe you, but you allwayes looke
" for impoſſibilities from mee, and I wiſh it were a tyme of
" mirrackles, for then wee might hope for a Good Succeſs in
" everie thing. Whither wee goe, and what wee are to dooe,
" I knowe not, for I am none of the Councell: My dutie &

feared, to ſuch a lowneſs that his own ſervants durſt hardly avow the waiting on him! Gloomy picture.

To the gloomy picture another touch is added by a letter of Captain Slingſby * to his

" loyaltie have tought mee to followe my King and Maſter,
" and by the Grace of God nothing ſhall divert mee from Troubles
" it: I could wiſh you and your Children in a ſafe place, but of a
" why Woodhall ſhould not bee ſoe I cannot yet tell. I could courtier.
" likewiſe wiſh my cabinetts and all my other thinges were at
" Mr. Courteenes—but if a verrie diſcreete man bee not there,
" and take the adviſe of the joyner to convaye them thither,
" theye will bee as much ſpoilde in the carridge as wth the Fear of
" rabble. Deareſt love, to ſerue God well is the waye in " rabble."
" eueriething that will leade us to a happie end, for then
" hee will bleſs, and deliver us owt of all troubles: I praye
" you have a care of your ſelfe, and make much of your
" children, and I preſume wee ſhall bee merrie and enioye
" one another long. I writt to you and ſent the letters by
" Nick on tueſdaye, but that rogue is drunke, and I heare
" not of him. If you remember my ſervice to Mrs Eures, and
" tell her that I am her faithefull Servant, I will give you King and
" leaue to kiſs Mrs Marie for mee: *I wiſh ſweete Tom wth mee,* Queen
" *for the King and Queene are forced to lie wth theire children* lying with
" *nowe and I enuie their happines.* I praye you lett this their chil-
" berer cum to me againe, when you heare where wee reſt: dren.
" and ſoe Godnighte, ſweete Noll.

" Y^r^ true frend and moſt loving huſband,

" ENDYMION PORTER.

" Windſor this 14th of Januarie 1641."

I may add a further very notable illuſtration, from an unpubliſhed letter of Dering's, of the difficulties and hardſhips now incident to the courtier's trade. " The times," he writes Deſperate to his wife, " are deſperate, and £100 in hand may quickly times.
" be worth £100 per annum. Will. Gibbes wrote yeſter-
" night for my advice. He would faigne attend the King
" with his perſon, as other Cavaliers do: but his purſe is
" empty, and the King ſoe poore that he cannot feed them King's
" that follow him. I was told that the prince one night poverty.
" wanted wine, and another candles." By the Prince muſt be intended the Prince Elector.

* As this is probably the laſt time I ſhall have to refer to Captain Slingſby, I may mention that on the Reſtoration he Slingſby was made a Baronet and Comptroller of the Navy; that he is and Pepys. frequently referred to in Pepys's Diary; and that, in recording his death at the cloſe of October 1661, Pepys ſpeaks of him as "a man that loved me, and had many qualitys that made me

Slingſby to Pennington: 14th January.

Admiral one day later, on the 14th of January, which reveals ſomewhat more of the alarm and danger of the time. He deſcribes what had happened ſince the famous day at Guildhall; and how that he, and all who accompanied the King on the 4th, were now ſet apart and

Unexpected change of poſition.

"eſteemed criminals," while the gentlemen accuſed of treaſon paſſed with greater honour and applauſe than ever, having been brought back magnificently guarded to their ſeats at Weſtminſter. "The King the day before," he continues (I omit his alluſion to the Buckinghamſhire horſemen who had ridden up to town to offer their ſervice to the Parliament), "wth "the Queene and all their children, went "away diſcontentedly, attended not with "many lords or old courtiers, but with the

Officers following the King.

"officers of the late army in good numbers. "He went firſt to Hampton Court, then to "Windſor: this day removed from thence, "whither I knowe not: but ſome ſay to "Portſmouth, others to Woodſtocke, and "from thence to Yorke. There was yeſter-"day a great feare in the Cittie by reaſon it

Lunſford at Kingſton.

"was reported that Coll. Lunſford had made "proclamation in Kingſtone for all of the "Kinge's party to come to him. If any ſuch

Carterett.

"to love him, above all the officers and commiſſioners in the "Navy." *Diary* (ed. 1854) i. 229. Captain Carterett, though an older man, ſurvived Slingſby eighteen years. He did important Royaliſt ſervice during the Civil War, and obtained high rank as well as ſeveral lucrative employments at the Reſtoration.

"thinges were, I believe it was but ſome "drunken flouriſh of ſome of thoſe ſouldiers "that followed the King: yett the Houſe "hath ſent order to the Sheriffs to apprehend "them, and have, as I heare, ſent likewiſe to "Portſmouth to forbid the admittance of any "ſuch into the towne, as may breed tumult "there."* "Drunken flouriſh."

Capt. Slingſby makes light of the Lunſford proclamation as a "drunken flouriſh," but he yet connects it with the ſoldiers who were following the court,† and we have ſeen with what deſigns at this time, at leaſt not unknown to the King, Clarendon couples Lunſford's and Digby's names.‡ Except for Charles the Firſt's expreſs diſapproval on the ſcheme being ſubmitted to him, he tells us that the accuſed members would either have been ſeized and taken Suſpicious aſſociations. Digby and Lunſford.

*MS. State Paper Office. Slingſby to Pennington: 14 Jany. 1641-2. The cloſe of the letter is very characteriſtic. "All thinges go now currantly on in the Parlament with out any apparent oppoſition: the malignant partie having all left the towne: only the Tower doth yett breede ſome jealouſies. "The Left[t] refuſeing to come to the houſe, being ſent for: "and refuſing to take the Protęſtation w[ch] was ſent to him. "Some Victuals going to the Tower were ſtopped, and this "day I heare it is abſolutely blockt up: the ſeamen have "offerd their ſervice tŏ batter it. A day or two ſince it was "ſoe dangerous ſaying anything, y[t] a man could not be "aſſured of his life in ſpeaking anything. Factions were ſo "hott. But now the Language of the Pär: is only currant. "I pray God ſend us better unitie, but I can hardly expect "it: though I thinke there are twice as many plotts diſ-"covered and printed than are really contrived." Agreement in Houſes. One exception. Factions ſubſiding.

† Clarendon alſo ſtates (ii. 163) that beſides his own gentlemen, "thirty or forty" of the officers of the Whitehall Guard alſo attended him.

‡ *Ante*, 205, 288, 322.

Rejected plan againſt Five Members.

to priſon, or left dead in Coleman Street; and it is certain that the King's rejection of either this, or ſome other plan, which he had been diſpoſed to entertain on the firſt failure of the arreſt, was made matter of warning to him in later years. "You ſee," wrote the Queen, urging him afterwards to as raſh an enterpriſe, "what has happened *from not having followed* "*your firſt reſolutions when you declared the Five* "*Members traitors.* Let that ſerve you for an "example, and dally no longer with conſulta-"tions."*

Queen's reproach to King for its rejection.

Charles I. quits London.

Under ſuch advice is the ill-fated King abandoning the metropolis of his Kingdom. He confidently believed that he ſhould ſoon return to it as its maſter, but he never again ſaw Whitehall until he was led through it to the ſcaffold. Before 4 in the afternoon he ſtepped into his coach with the Queen and their children, called to the window the Captain of the Trained Bands who had been in attendance at the palace during the laſt two eventful months, thanked him for what he had done, and drove off to Hampton Court.†

Never to return as King.

* *Harl. MSS.* 7379. Quoted in the *Fairfax* Correſpondence, ii. 335.

† Let me refer the reader who is not acquainted with the book to M. Guizot's lately reviſed and enlarged edition of his *Hiſtoire de la Révolution d'Angleterre.* I know of no narrative of the incidents of Charles the Firſt's reign, within the ſame compaſs, at all comparable to it for fulness, accuracy, and pictureſqueneſs. The account of the incidents under notice is a delightful ſpecimen of narration, cloſe and ſpirited; the obſervations are always thoughtful, conſiderate, and tem-

Guizot's Hiſtory.

And now, to adopt the expreſſion of Clarendon, it only remained to place the Five Members "*on their thrones.*" The Five placed on their "thrones."

§ XXXIX. Return of the Five Members.

Tuesday the eleventh of January, 1641-2, was a clear bright winter day, and never had the great river, or either of its ſhores, preſented ſuch a ſcene as had there been viſible ſince day break, from London Bridge to Weſtminſter ſtairs. By land, the City Trained Bands on the one ſhore, and on the other the Trained Bands of Southwark, lined the road up to the very avenues of the Commons' Houſe; and by water, guarding that ſilent highway through which the members were to paſs, appeared on either ſide, connecting both the bridges in two compact and glittering lines, a fleet of veſſels and long boats, armed with ordnance, and "dreſſed up with waiſt-"clothes and ſtreamers as ready for fight."* On all ſides the aſpect of a feſtival; eager animation, movement, light, and colour: but no mere holiday gaiety. Blending with whatever could give brilliancy to the ſcene, were ſigns everywhere of the ſolemn and earneſt work in hand. The men who ſerved the ordnance on board the veſſels ſtood with their matches Tueſday, 11th January. March of City by land. Guard by water. Great feſtival. No mere holiday.

perately juſt; and the ſtyle throughout is charming. This enlarged edition has been fairly tranſlated by Mr. Scoble (Ed. Bentley: 2 vols. 8vo. 1854).

* Clarendon, *Hiſt.* ii. 164.

Soldiers' pikes and muſkets:

lighted; and, fixed upon the pikes of the ſoldiers, attached to their muſkets, flapping round their enſigns and colours, looped in their hats, or faſtened on their breaſts, were printed copies of the ſolemn Proteſtation,

carrying printed votes of Houſes.

which bound all who took it to the rendering up life itſelf on behalf of the liberties of Parliament and the maintenance of the Proteſtant religion.* Manned by officers and ſeamen of the navy who had volunteered this ſervice, one of the largeſt and richeſt of the City Companies' Barges had been provided and fitted for the

Embarkation at "Three Cranes."

Five Members; and in this, at midday, they embarked "from the Three Cranes,"† and ſo returned to the ſeats from which their ſovereign had vainly hoped to baniſh them for ever. "They returned," wrote the Under-

Under-Secretary's account.

Secretary to Pennington, "with ſuch multitudes as had "far more of Triumph than "Guard; and the ſeamen made fleetes of boates "all armed with muſquetts and murdering "pieces, wch gave vollees all the way they

What Clarendon ſaw.

* "There was one circumſtance," ſays Clarendon, "not "to be forgotten in the march of the City that day, when "the ſhow by water was little inferior to the other by land, "that the pikemen had faſtened to the tops of their pikes, and "the reſt in their hats, or their boſoms, printed papers of the "Proteſtation which had been taken and enjoined by the "Houſe of Commons, the year before, for the defence of the "privilege of Parliament; and many of them had the Printed "Votes of the King's breaking their privileges in his coming "to the Houſe and demanding their members." ii. 166. D'Ewes will be found to notice this alſo, *poſt*, 364.

† *Ruſhworth*, III. i. 484.

"went."* Arrived at Weſtminſter, the enthuſiaſtic applauſes of the people who had crowded to give them welcome, outrang even the clattering diſcharges of ordnance which ſaluted them as they landed. They paſſed up the ſtairs, and into the lobby of the Houſe. Welcome at Weſtminſter.

The Speaker and the members ſtood up as the Five entered and took their accuſtomed places. The inſtant after, all the Five aroſe, and while Hampden, Hollis, Haſelrig, and Strode ſtood ſilent and uncovered, Pym tendered in the moſt earneſt language their hearty thanks to the citizens of London. He ſaid that he could not but refer to the unexampled ſcene they had that day witneſſed. Such had been the kindneſs, the affection, they had found in the City, that if the mode of expreſſing it, on this extraordinary occaſion, had been ſomewhat unuſual, the honour of the Houſe was nevertheleſs engaged to protect and defend the citizens againſt all poſſible conſequences thereof. The words (reported by Clarendon)† are extremely ſtriking; and moſt ſignificant was the appeal they involved from one ſupreme power Entrance into Houſe. Pym thanks the City. Striking expreſſions uſed.

* MS. State Paper Office. Sidney Bere to Pennington, 13th January, 1641-2. The title begins: "The laſt weeke I "told you but the beginning of thoſe bad enſuing newes wee "muſt now dayly expect, unleſſe it pleaſe God to give a ſtrange, "if not miraculous change, whereby to ſettle the diſtraction of "affaires. The Committee ſitting all laſt weeke in ye Citty, "returned againe to Parliament on Tueſday, and the perſons "accuſed wth them, for whom both citty and country have "ſhown ſoe much affection!" Bere to Pennington, 13th January.

† *Hiſt.* ii. 165.

Impreſſion made on Royaliſt member.

in the State, to another which was to aſſume from that day a more than equal ſovereignty. Some idea of the impreſſion made upon even a member of the Houſe who ſympathiſed with the King, appears in what Sir Edward Dering now wrote to his wife. "*If I could be Pym* "*with honeſty, I had rather be Pym than King* "*Charles.*"*

Would you be King Charles or King Pym?

In the ſame letter, written the next day but one after the great feſtival, the member for Kent, after telling his wife that "heere have been five "thouſand petitioners out of Buckingham- "ſhire to offer their lives to execute our com- "mands," proceeds to tell her further, that by the help of God ſhe was not to fear for his perſonal ſafety, for that many thouſands had guarded them on the Tueſday, and that each day now the Houſe itſelf was provided with a ſufficient Guard "againſt no enemy." But ſome members of the Houſe had been in danger, and how could any ſingle member in future be reckoned ſafe? In vain did even this loyal knight of the ſhire for Kent, notorious for his reſiſtance to the Remonſtrance, aſſure and re-aſſure his friends down in his native county. "Mr. Bullock came and offered," he writes, "with his friends, to be my perſonall Guard. I "refuſed itt, *but could not perſuade him from my* "*ſide, from morning to night, unleſs in the* "*very Houſe.*" The incident better explains

Letter of Sir Edward Dering.

Guard againſt no enemy.

Members thought ſtill in danger.

* MS. Letter before referred to, 48, and 358.

what the feeling was, which had brought thouſands out of Buckinghamſhire to the ſide of Mr. Hampden. Why Bucks men came.

When Pym had ceaſed ſpeaking, and when there had been called in, ſucceſſively, the Sheriffs of London, the Maſters and Officers of ſhips, and Serjeant Major-General Skippon, to receive thanks from Mr. Speaker, Hampden's colleague in the repreſentation of Buckinghamſhire (Mr. A. Goodwin) aroſe, and begged of the Houſe that ſuch of the gentry of that county as had been appointed to bear their petition* might be called in to deliver it. Thanks by Mr. Speaker. Speech by Goodwin.

* The opening ſentences of this petition, which, if not written by Hampden, may be ſafely taken as the exact expreſſion of his views, are characteriſtic and worth quoting: "That whereas, "many years paſt, we have been under very great preſſures, for "*which are clearly ſet forth in the late Remonſtrance of the* "*Houſe of Commons*; the Redreſs whereof hath for a long "time been by you endeavoured with unwearied pains, tho' "not with anſwerable ſucceſs; having ſtill your endeavours "fruſtrated or retarded, and we deprived of the fruit thereof, "by a malignant faction of Popiſh Lords, Biſhops, & others; "and now, of late, to take from us all that little hope which "was left of a future Reformation, the very Being of the "Parliament ſhaken; and, by the miſchievous practices of "moſt wicked counſellors, the privileges thereof broken in "an unexampled manner, and the members thereof unaſſured "of their lives, in whoſe ſafety the ſafety of us and our "Poſterity is involved: We hold it our duty, according to "our late proteſtation, to defend and maintain the ſame "Perſons and Privileges, to the uttermoſt expenſe of our lives "and eſtates." The laſt ſentence is alſo remarkable. After ſtating ſuch meaſures againſt evil counſellors as they believe to be called for, they cloſe thus: "Without all which, your "Petitioners have not the leaſt hope of the kingdom's peace, "or to reap thoſe glorious advantages, which the fourteen "months Seed-time of your unparallelled endeavours have "given to their unſatiſfied expectations." A ſimilar petition was taken to the King at Windſor two days after this was delivered to the Commons. Nor was it the Bucks Bucks petition to Houſe. Views held by Hampden. Petition to King.

Bucks petition brought in.

Whereupon, the ſame being aſſented to, the petition was brought in, and they who bore it informed the Houſe that it had been accompanied to the town by above ſix thouſand men, not one of whom but was ready with their lives and fortunes to defend them, the honorable members of the Commons, or, if need were, againſt whomſoever ſhould in any ſort illegally attempt upon them, *to die at their feet.*

Its guard of 6000.

"And then," ſays D'Ewes, "they withdrew "out of the Houſe: but they were ſo many, "and the preſs was ſo great in the Lobby and "room next without the door, that they were "a good while before they could get out."*

Crowd and preſſure in lobby.

D'Ewes followed them, and went to walk a while in Weſtminſter Hall. There, cluſtered in various groups, ſtood citizens of the Trained Bands belonging to the eight companies who had guarded the Members that day. And D'Ewes noted upon the tops of their pikes, hanging like little ſquare banners in the now ſtill and quiet air, copies of the Proteſtation for defence of parliament and maintenance of religion.†

D'Ewes in Weſtminſter Hall.

"Little ſquare banners."

men alone who thus followed the King to his retirement. Others, according to Clarendon, promptly followed the example: "Though the King had removed himſelf out of "the noiſe of Weſtminſter, yet the effects of it followed him "very cloſe; for beſides the Buckinghamſhire petitioners, who "alarumed him the ſame or the next day after he came to "Hampton Court, *ſeveral of the ſame nature were every "day preſented to him, in the name of other counties of the "kingdom.*"—*Hiſt.* ii. 176.

Other counties petition the King.

* *Harl. MSS.* 162, f. 317 b. † *Ib.* 162, f. 318 a.

Meanwhile, before the Houſe roſe, between 7 and 8 on that "ever to be remembered" day, the departure of the King from London had been remarked upon by honorable members, and the matter was reſerved for debate until the following morning. Accordingly, on that Wedneſday the 12th, the Chancellor of the Exchequer wiſhed to know if he ſhould move his Majeſty to return to London, to come to a proper underſtanding? But Sir John Culpeper failed to elicit any ſatiſfactory reply. Again, next morning, Thurſday the 13th, the queſtion was renewed; and, ſays D'Ewes,* "Sir Henry Cholmely moved that we ſhould "ſend to his Majeſty to expreſs our grief "for his abſenting himſelf from us, and to "deſire him to return, and to conceive that "we are his beſt and ſureſt guard. *But Mr.* "*Denzil Hollis ſtood up, and ſaid, that till* "*himſelf and the other members of this Houſe* "*accuſed of High Treaſon were cleared, and the* "*violation of the privileges of this Houſe in their* "*perſons were redreſſed*——"

Departure of King noted.

Queſtion by Culpeper.

Queſtion by Sir Henry Chomley.

Anſwered by Denzil Hollis.

My Narrative cloſes here. The blank left is D'Ewes's own; and what yet there might have remained to tell, is better expreſſed in that eloquent ſilence. Of one of the moſt memorable incidents in our Engliſh hiſtory, more than enough will perhaps be thought to have been ſaid in theſe pages. But it had conſequences which

Cloſe of narrative.

* *Harl. MSS.* 162, f. 329 b?

Queſtion not ſettled in one generation.

were not determined even when the ſtruggle of that generation ceaſed, and its actors, noble and ignoble, were alſo paſſed into ſilence. Every popular privilege won by the Commons in the long ſubſequent ſtruggle with the Crown, owed ſomething to this firſt grand conflict: and if their rights and powers are at laſt harmoniouſly adjuſted, it is becauſe, in the momentous ſcenes which have been here deſcribed, violence in the Chief of the State was at once met by prompt reſiſtance; and allegiance to a ſovereign who had broken the laws, was held of leſs account than that higher allegiance which all good men owe to their country and to poſterity.

Struggle of Commons againſt Crown.

Why ſucceſſful.

§ XL. Conclusion.

Arreſt of members a deliberate act.

In my introductory remarks it was ſtated that the Arreſt of the Five Members was no exceptional act on the part of Charles the Firſt, extreme and violent as it was, but ſhowed a ſtrict agreement with what had gone before it; and, happily for thoſe againſt whom it was aimed, only baffled its own deliberate and well-planned deſign by betraying it prematurely. The juſtification of the leaders of the Commons for the courſe they immediately took, with all its daring reſponſibilities, conſiſted ſolely in this. Force was to be met by force; and when Charles and his armed attendants paſſed through the lobby of the Houſe of

How baffled.

Only to be met one way.

Commons on the 4th of January, the Civil War ſubſtantially had begun. Clarendon himſelf admits as much when he calls it "the moſt "viſible introduction to all the miſery that "afterwards befell the King and Kingdom." * The Civil War begun by it.

The arreſt of the Five Members was the final ſtage of the ſtruggle againſt the Grand Remonſtrance. That Appeal to the nation was deſigned to expreſs the danger which had ariſen to the popular cauſe from defections of its former ſupporters, to exhibit the paſt as a warning for the future, plainly to ſet forth the preſent inſecurity of every conceſſion that had been wrung from the King, and to invoke the People to defend and keep what had been won for them ſo hardly. The Arreſt was a violent effort to reverſe the eleven votes by which the victory was achieved, and to conſtitute the leaders of the minority, to whom the higheſt offices in the State had meanwhile been given, maſters of the Houſe of Commons. The iſſue was a plain one, and admitted only of the harſh arbitrament to which finally it was brought. Its connection with Remonſtrance. Deſign of Remonſtrance: object of Arreſt: to make the minority maſters of the Houſe.

If, indeed, it had been poſſible to believe that it was in the nature of Charles the Firſt to have left it honeſtly to ſuch men as Falkland, Culpeper, and Hyde to adminiſter the Government ſubject to ſuch conceſſions and ſafeguards as had been wreſted from the prerogative during Improbable caſe.

* *State Papers:* Supplement to vol. iii. p. lv.

Peculiar opinions of King.

Nullity of ſtatutes in bar of prerogative.

All recent acts in peril.

Aſſent under compulſion void.

Dangerous logic.

the paſt year, there might have been a caſe againſt the adoption of meaſures which forbade the poſſibility of compromiſe. But a peculiar neceſſity was created by the character and opinions of the King. It was not merely that his bad faith was ineradicable; it was not even that he was underſtood to hold the high monarchical theory of the nullity of ſtatutes in direct reſtraint of the prerogative; but that he was known to entertain the belief, that, in reluctantly giving aſſent to the moſt important of the meaſures paſſed by the Long Parliament, he was giving it under compulſion, and that ſuch aſſent was therefore *ipſo facto* invalid. With theſe views, let him once be relieved from preſſure and everything gained for public liberty was loſt. Clarendon himſelf informs us that his Attorney-General, Herbert, had encouraged him in the notion that the act againſt the diſſolution of the Parliament without its own conſent was for ſuch reaſons void;* and in mentioning his aſſent to the Bill excluding the Biſhops from Parliament, he makes uſe of theſe remarkable expreſſions:† "An opinion that the violence "and force uſed in procuring it rendered it "abſolutely invalid and void, made the con-"firmation of it leſs conſidered, as not being "of ſtrength to make that act good, which "was in itſelf null. *And I doubt this logic had*

* *Life and Continuation*, i. 206-211.
† *Hiſt.* ii. 252.

"*an influence upon other acts of no leſs moment* "*than theſe.*" How was it poſſible to deal on equal terms with ſuch an antagoniſt?

Poſition of accuſer to accuſed.

Let the poſition be conſidered, too, in which a charge of treaſon ſpecifically made, and which yet the accuſer would neither proſecute nor retract, left thoſe who were ſo accuſed. That ſtartling remark of Hollis with which my narrative cloſes, throws conſiderable light upon this point; and Whitelock has an obſervation to the effect that the moſt powerful of the members accuſed (he alludes to Pym and Hampden) peculiarly reſented the King's refuſal ſpecifically to withdraw the charge.* So much indeed has been frankly avowed by Pym himſelf. In the Vindication which he publiſhed when the war broke out, he does not heſitate to avow that from the hour of that unjuſt impeachment his own conduct was changed. "When," he ſays, "I perceived "my life aimed at, and heard myſelf pro- "ſcribed as a traitor, merely for my intireneſs "of heart to the ſervice of my country; when "I was informed that I, with ſome other "honorable and worthy members of the par- "liament, were, againſt the privileges thereof, "demanded even in the parliament houſe by "his Majeſty, attended by a multitude of "men-at-arms and malignants,—while for "my own part I never harboured a thought

Refuſal to proſecute or withdraw charge.

"Vindication" of Pym.

Why he changed his conduct after arreſt.

* And see *Memorials*, i. 158 (Ed. 1853).

Parliament his only refuge.

"which tended to any diſſervice to his Ma-
"jeſty, nor ever had any intention prejudicial
"to the State,—no man will think me blame-
"worthy in that I took a care of my own
"ſafety, and fled for refuge to the protection
"of the Parliament." But how much more intolerable ſuch conduct to a man who had refuſed, only a few days earlier, one of the higheſt employments in the State, proffered to him by his accuſer!

Traitor or miniſter?

King will do anything but withdraw charge.

The dogged obſtinacy which was alſo a moſt material feature in the character of the King, had been here indeed ſtartlingly diſplayed. The day after the return of the Five Members, he ſent a meſſage to ſay that he waived the impeachment begun on the 3d, and intended to proceed thereupon in an unqueſtionable way. The next morning, replying at Windſor to the petition of the Freeholders of Bucks, he told Mr. Hampden's conſtituents, not that the charge was withdrawn, but that he would much rather that worthy gentleman ſhould prove innocent than be found guilty, and that meanwhile he ſhould not conſider his crimes as in any ſort reflecting upon thoſe good ſubjects who had elected him as their knight of the ſhire! Eight days later, the Houſe aſked for proofs of the charge: to which after three days he replied, that he could not diſcloſe his proofs, but that no time ſhould be loſt in preferring an indictment at common

Will waive impeachment:

hopes Mr. Hampden is innocent:

will indict at common law:

law in the uſual way. Nine days later, the Houſe demanded once more to be informed, before a ſpecial day named, as to the nature and proofs of the alleged treaſon with a view to early and legal trial thereof: to which the King replied by deſerting the intended proſecution altogether, and by offering a general pardon. The Houſe then ſpecifically claimed as their right, under certain ſtatutes which they cited, that the King ſhould not only, in addition, clear the members perſonally, but give up the names of the counſellors under whoſe advice they had unjuſtly ſuffered. Still he was immovable. A Bill for the acquittal of the Members was thereupon paſſed, and an impeachment of the Attorney-General voted. To ſave Herbert from puniſhment, he would at once have taken all reſponſibility to himſelf; and he offered the Houſe any kind of ſatiſfaction, excepting always that which they claimed. Immediately before the civil war broke out, the Attorney-General was diſabled from being a member aſſiſtant, or pleader, in either Houſe of Parliament, and committed to the Fleet: but ſtill the King remained obdurate and unimpreſſible as ever. Nay, after the civil war had begun, and when the firſt attempt was made to mediate at Oxford after the battle of Edgehill, "a bill to "vindicate the 5 members" was among the propoſitions ſubmitted; when again he refuſed it, and angrily interrupted the Commiſſioners.

will abandon all proceedings:

will give general pardon:

but nothing elſe.

Attorney-General impeached:

and puniſhed.

King ſtill immovable.

One of the Oxford propoſitions.

The Earl and the King.

So angrily, adds Whitelock,* that the Earl of Northumberland, who led upon the Parliament ſide, ſhowed a ſober and ſtout carriage, and on being once more interrupted, ſaid ſmartly, "*Your Majeſty will give me leave to proceed?*" "*Aye, aye!*" replied the King.†

Strong ground for diſcontent:

It need hardly ſurpriſe us, after this recital, to be told by the memorialiſt that the moſt moderate members of parliament held it matter of great diſcontent, that, except by general waiver and withdrawal of further proceedings, the imputation of treaſon was never removed from men in whom the Houſe

ſtated by Whitelock.

* *Memorials*, i. 196.

† The greater portion of this paper war of petitions and replies which had enſued will be found in Ruſhworth (*Coll.* III. i. 434-494). Clarendon (*Hiſt.* ii. 173-178) has alſo largely quoted them, and it is manifeſt that ſome of them bear the marks of his hand. Nor do I ever read one of Hyde's ſtate papers of this kind without feeling the truth of that old courtier's comment on their new ally which is mentioned by Sir Philip Warwick (*Memoirs*, 217): "Our good pen will "harm us:" or, as Sir Philip himſelf puts it, "A blunt "would have ſerved us better than ſo keen a nib." An ivory knife cuts paper better than a ſteel blade (as Swift had occaſion to remind a high-flying Secretary in later time), and it is quite poſſible, both in the higher and lower departments, to have the work of the State too ſharply done. There is a ſtory told, ſomething to the purpoſe, of Lord Burleigh and his ſon Cecil. Being at Council, and reading an order penned by a new clerk who was reputed a wit and ſcholar, he flung it downward to the lower end of the table to his ſon, the Secretary, ſaying, "Mr. Secretary, you bring in "clerks of the council who will corrupt the gravity and "dignity of the ſtyle of the Board:" to which the Secretary replied: "I pray, my Lord, pardon this. The gentleman "is not warm in his place, and hath had ſo little to do, that "he is wanton with his pen; but I will put ſo much buſineſs "upon him, that he ſhall be willing to obſerve your worſhip's "directions."

Paper war.

Blunt better than keen nib.

Burleigh and Cecil.

Too clever Clerk of Council.

repoſed its higheſt confidence. But, in the face of ſuch facts, what becomes of Clarendon's aſſertion that the Arreſt was a ſudden act as ſuddenly repented of; that no circumſtance of deliberation attended it; and that it was followed, not by hardy and obſtinate perſiſtence, but by the inſtant trouble and agony which attends uſually the generous mind, upon its having unreflectingly committed what it promptly perceives to be an error.

Clarendon's defence of Charles.

It ſeems to me very neceſſary, in cloſing this work, to fix attention upon ſuch deliberate perverſions of the truth, becauſe they conſtitute for the moſt part, with all writers of a particular claſs, the ſole ground of attack againſt the Commons for having treated the outrage of the 4th of January as a challenge to civil war. Nothing is more certain than that, even while the outrage itſelf was ſtill in progreſs, there was time for reflection preſented to its author; and that if this had been properly employed, at leaſt ſome of the diſaſtrous conſequences might have been intercepted. Let me here, therefore, briefly recall in what way it *was* employed.

The truth miſ-ſtated: as a ground for aſſailing Commons.

Without adopting Whitelock's view that if Charles had promptly withdrawn the impeachment little more trouble might have attended it (a view which makes too ſmall allowance for the ſettled diſtruſt which his

Doubtful aſſertion of Whitelock.

Probable effect of withdrawing charge.

previous conduct had inſpired), it is yet very far from impoſſible but that, frankly done at the firſt, it might certainly have recovered ſo much ground for the King as not wholly yet to have broken and diſperſed his party in the City. Not only, however, did he ſullenly leave the charge rankling in the breaſts of ſuch men all powerful in debate as Hampden and Pym, whom it ever afterwards indiſpoſed to any mediation or compromiſe; not only did he refuſe to withdraw it, as we have ſeen, when finally compelled to withdraw all proceedings; but, up to the day when the ſtorm broke over him under which he had to yield, and which with an obſtinate impaſſiveneſs he had watched as from day to day it made darker the ſkies above him, not a word was uttered by him, or an act done, of which the manifeſt and unmiſtakeable tendency was not to exaggerate every danger, and to confirm and extend all the fears, generated by his firſt raſh attempt.

Effect of King's obſtinate refuſal.

Perſiſtence in the outrage.

Interval for good advice.

There was but an interval of ſix days between his entering the Houſe of Commons and his flight from Whitehall; and in that interval, Clarendon tells us, he had renewed his commands to himſelf, Falkland, and Culpeper, to give him conſtant advice what he was to do.* What, then, having the ineſtimable benefit and advantage of ſuch confeſſed adviſers, *did* he do? In

Good adviſers provided.

* *Life and Continuation*, i. 101-2.

full view of the danger eſcaped by failure of his inſtructions on the evening of the 3rd of January for firing on the Citizens, and of the miſtake committed by failure of his attempt on the morning of the 4th for ſeizing on the Members, what were the ſteps taken, under ſuch advice as Hyde admits him now to have had the full opportunity to profit by—to expreſs regret or make reparation? What, in a word, was the courſe he took at that point of time which Clarendon fixes beyond queſtion as "before he left Whitehall?"

Reſult upon the King.

Events between 4th and 9th January.

On the night of the 4th, with thoſe ominous ſounds of Privilege! Privilege! ſtill ringing in his ears which had followed him as he left the Houſe that day, he cauſed a Proclamation to be iſſued, declaring that certain members of the Houſe of Commons were under accuſation of High Treaſon, and ordering the ports of the kingdom to be cloſed againſt any attempt they ſhould make to evade juſtice. On the morning of the 5th, he iſſued under his own hand Warrants for their arreſt addreſſed to the Sheriffs of London. On that day, alſo, he went himſelf to the City, and in perſon demanded that the accuſed, whom he knew to be concealed therein, ſhould be delivered up to him. On that evening, he drew up with his own hand a ſecond Proclamation againſt harbouring the men whom he deſignated as traitors. On the morning of the 6th, he diſpatched a

4th: P. M. Proclamation againſt Members.

5th: A. M. King's Warrants and Viſit to Guildhall.

5th: P. M. Second Proclamation.

6th: A. M. Serjeant ſent to arreſt. Royal Serjeant into the City with orders to effect the arreſt. On the 7th, the Common Council voted their petition in behalf of popular rights; and on the ſame day, ſuch evidence was taken by the Committee at Grocers' Hall ("upon queſtions," ſays Clarendon, "whereof many were very impertinent and of little reſpect to the King") as concluſively eſtabliſhed the danger to which the Commons had been expoſed. On the 8th, the day when Lord Falkland was formally ſworn in before the Council as one of His Majeſty's principal Secretaries of State, and the morning after that vote of the Committee which invited the accuſed publicly to reſume on the following Monday their places and duties as repreſentatives of the people, there came forth a third Proclamation from the King reiterating againſt the members the accuſation of high treaſon, and commanding all magiſtrates and officers throughout the kingdom to apprehend them and convey them to the Tower. Moreover, on that ſame day of the 8th, a private order was ſent from the Council Board, at which Falkland had taken the oaths and his ſeat but an hour or two earlier, giving inſtructions for proceedings againſt thoſe (notoriouſly the members for the City) who, upon the ſudden alarm of two nights before, had called out the Train Bands for protection of the Citizens. Was it poſſible that the

7th: A. M. Common Council Petition.

8th: A. M. New Miniſters at Council-Board.

Same day: Third Proclamation againſt Members:

and private order from Council Board.

Houſe of Commons, how reluctant ſoever to enter on the ſtruggle, could in ſuch circumſtances as theſe have declined or evaded it?

There was manifeſtly no alternative left. Such middle courſe as D'Ewes would have propoſed before reſorting to an open defiance, was ſimply hopeleſs. It had become clear that the attempt upon the Members could not be defeated without a complete overthrow of the power of the King. He could not remain at Whitehall if they returned to Weſtminſter. Charles raiſed the iſſue, the Commons accepted it, and ſo began our Great Civil War. The King drew the ſword upon the day when he went with his armed followers to arreſt the Five Members in their places in the Houſe. The Houſe of Commons unfurled their ſtandard on the day when, declining to ſurrender their members, they branded with the epithet of a Scandalous Paper the articles of impeachment iſſued by the King.

No middle courſe poſſible.

Acceptance of iſſue raiſed.

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91. 5 from bottom (*note*): for "*B.* Simmons" read "*S.* Simmons."

126. Laſt line } for "Archetil" read "Anchetil."
137. Laſt line }

147. 4th marginal note, for "1828" read "1628."

280. Line 12, for "Cocker*worth*" read "Cocker*mouth*."

370. Laſt line but one (*note*), for "*poſt* 364" read "*poſt* 374."

371. Line 8 from bottom (*note*), for "title" read "letter."

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389. (*Index*) under "Authorities cited": MS. after *Dering* inſert *D'Ewes*. PRINTED, after *Lilly* inſert *Ludlow*.

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